STATUTORY RULES OF NORTHERN IRELAND

2017 No. 14

MAGISTRATES' COURTS

The Magistrates' Courts Fees (Amendment) Order (Northern Ireland) 2017

Made - - - - 16th January 2017

Coming into operation in accordance with Article 1

The Department of Justice, in exercise of the powers conferred by section 116(1) and (1A) of the Judicature (Northern Ireland) Act 1978(**1**) and now vested in it(**2**), makes the following Order with the concurrence of the Department of Finance(**3**).

The Department has, in accordance with section 116(1) of that Act, consulted with the Lord Chief Justice.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Magistrates' Courts Fees (Amendment) Order (Northern Ireland) 2017.

(2) Articles 1 and 3 shall come into operation on 1st April 2017.

(3) Article 2 shall come into operation immediately after the coming into operation of the Universal Credit Regulations (Northern Ireland) 2016(**4**).

(4) In this Order "the principal Order" means the Magistrates' Courts Fees Order (Northern Ireland) 1996(**5**).

Amendments to the principal Order

2. In Article 10(2) (Exemptions and refunds) of the principal Order—

(a) at the end of sub-paragraph (d) for "." substitute "; or"; and

(b) after sub-paragraph (d) insert—

(**1**) 1978 c. 23 as amended by the Courts Act 2009 (c. 39) and s.59 of the Justice Act (Northern Ireland) 2016 (2016 c. 21 (N.I.)).
(**2**) Article 15(1) and paragraph 6(h) of Schedule 17 to the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010 No. 976).
(**3**) Article 15(4)(b) of the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010 No. 976). Formerly the Department of Finance and Personnel, see the Departments Act (Northern Ireland) 2016 (2016 c.5 (N.I.)), Section 1(4) and Schedule 1.
(**4**) S.R. 2016 No. 216.
(**5**) S.R. 1996 No. 102 to which relevant amendments are made by S.R. 2007 No. 379.

"(e) universal credit paid under Part 2 of the Welfare Reform (Northern Ireland) Order 2015(**6**).".

3. For Schedules 1 and 2 to the principal Order there shall be substituted the new Schedules 1 and 2 set out in the Schedule to this Order.

Sealed with the Official Seal of the Department of Justice on 16th January 2017

L.S.

Claire Sugden
Minister of Justice

The Department of Finance concurs in the making of this Order.
Sealed with the Official Seal of the Department of Finance on 16th January 2017

L.S.

Emer Morelli
A senior officer of the
Department of Finance

(**6**) 2015 No. 2006 (N.I. 1).

SCHEDULE Article 3

"SCHEDULE 1 Article 4

Court Fees

A. In proceedings to which Part VI of the Order applies					
Debt Proceedings			**Fee**		
			As from 01/04/17	As from 01/04/18	As from 01/04/19
1.		Process (ordinary, enforcement or committal)	£33.00	£35.00	£37.00
2.		Set-off, counterclaim, decree (including an order made on application under Part VIII of the Judgments Enforcement (Northern Ireland) Order 1981) or dismiss	£22.00	£24.00	£25.00
Ejectment Proceedings					
3.		Process (including proceedings where a claim for rent or sum due under Article 69 of the Order is joined with a claim for possession)	£33.00	£35.00	£37.00
4.		Decree or dismiss	£22.00	£24.00	£25.00
Duplicate Orders and Extracts from Register					
5.		Notice for duplicate orders	£33.00	£35.00	£37.00
6.		Duplicate order	£33.00	£35.00	£37.00
7.		Certified extract from register	£33.00	£35.00	£37.00
B. In proceedings to which Part VII of the Order applies					
8.		Notice of application or notice of appeal to a magistrates' court	£110.00	£118.00	£124.00
C. Appeals and case stated					
9.		Copy notice of appeal lodged with Clerk of Petty Sessions or process in relation to civil proceedings	£110.00	£118.00	£124.00
10.		Copy notice of appeal lodged with Clerk of Petty Sessions for a complaint, application, appeal or process (except where appellant in prison or in respect of civil proceedings), subject to a maximum fee of £150	£33.00	£35.00	£37.00
11.		Written application for case stated	£110.00	£118.00	£124.00
12.		Case stated	£110.00	£118.00	£124.00
D. Notices of application under the Licensing (Northern Ireland) Order 1996					
13.	(a)	Application for renewal	£299.00	£321.00	£337.00
	(b)	Application for protection order under Article 26	£75.00	£81.00	£85.00

	(c)	Application for temporary continuance of business in other premises under Article 29	£75.00	£81.00	£85.00
	(d)	Application for transfer	£299.00	£321.00	£337.00
	(e)	Application for transfer and renewal	£598.00	£643.00	£675.00
	(f)	Application for order for alternative permitted hours under Article 43	£299.00	£321.00	£337.00
	(g)	Application for order for additional permitted hours under Article 44	£299.00	£321.00	£337.00
	(h)	Application for order under Article 48 (suitability of certain premises for functions)	£299.00	£321.00	£337.00
	(i)	Additional fee for application out of time under Article 16 for each month or part of a month	£125.00	£134.00	£141.00
	(j)	Application for the grant of each occasional licence under Article 30—			
		(i) for the first day	£90.00	£97.00	£102.00
		(ii) for each additional day	£22.00	£24.00	£25.00
	(k)	Application for the grant of an extension licence	£75.00	£81.00	£85.00
	(l)	Application for the grant of a children's certificate	£174.00	£187.00	£196.00
	(m)	Children's certificate	£33.00	£35.00	£37.00
	(n)	Application to vary/remove conditions with respect to a licence for an indoor arena under Article 77A	£299.00	£321.00	£337.00
14.	(a)	For each inspection of the register of licences as provided for under Article 35	£24.00	£26.00	£27.00
	(b)	For each copy of all or any part of any entry taken from the register of licences as provided for under Article 35 – in respect of each licensed premises	£11.00	£12.00	£13.00
15.		A duplicate licence, being a certified copy of particulars recorded in the register of licences, issued under Article 38(2)	£165.00	£177.00	£186.00
E. Applications under the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985					
Bookmakers' Licences and Bookmaking Office Licences					
16.		A notice of application for the grant of a bookmaker's licence under Article 8(1)	£284.00	£305.00	£320.00
17.		A notice of application for renewal of a bookmaker's licence under Article 16(1)	£205.00	£220.00	£231.00