STATUTORY RULES OF NORTHERN IRELAND

2017 No. 11

COURT OF JUDICATURE

The Court of Judicature (Non-Contentious Probate) 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 Court of Judicature (Non-Contentious Probate) 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 Court of Judicature (Non-Contentious Probate) Order (Northern Ireland) 1996(**5**).

Amendments to the principal Order

2. In Article 9(2) (Exemptions and refunds) of the principal Order—

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

(b) after sub-paragraph (d) insert—

(**1**) 1978 c. 23 as amended by 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. 104 to which relevant amendments are made by S.R. 2007 No. 377.

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

3. For Schedule 1 to the principal Order there shall be substituted the Schedule 1 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

Column 1	*Column 2*			*Column 3*
Item	*Fee*			*Document to be endorsed*
	£			
	As from 01/04/17	As from 01/04/18	As from 01/04/19	
Application for grant: general				
1. On an application for a grant (or for resealing a grant) other than an application to which Fee No. 3 applies—				The requisition
a) if the assessed value does not exceed £10,000	No fee	No fee	No fee	
b) if the assessed value exceeds £10,000	£220.00	£237.00	£249.00	
Personal application fee				
2. In addition to (1) on an application for a grant by a personal applicant where the value of the estate exceeds £10,000	£55.00	£59.00	£62.00	The requisition
Special applications				
3. On an application for—				
a) a grant in respect of an estate exempt from inheritance tax by virtue of section 154 of the Inheritance Tax Act 1984 (exemption for members of the armed forces, etc.);	£165.00	£177.00	£186.00	
b) a grant limited to trust property;	£165.00	£177.00	£186.00	
c) a duplicate grant;	£165.00	£177.00	£186.00	