STATUTORY RULES OF NORTHERN IRELAND

2004 No. 337

SUPREME COURT

The Supreme Court Fees (Amendment) Order (Northern Ireland) 2004

Made - - - -	*4th August 2004*
Coming into operation	*1st September 2004*

The Lord Chancellor, in exercise of the powers conferred on him by section 116(1) and (4) of the Judicature (Northern Ireland) Act 1978(**1**), after consultation with the Lord Chief Justice and with the concurrence of the Treasury, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Supreme Court Fees (Amendment) Order (Northern Ireland) 2004 and shall come into operation on 1st September 2004.

Fees to be taken in proceedings in the Supreme Court

2. For the Schedule to the Supreme Court Fees Order (Northern Ireland) 1996(**2**) there shall be substituted the new Schedule set out in the Schedule to this Order.

Signed by the authority of the Lord Chancellor
I concur

Christopher Leslie
Parliamentary Under-Secretary of State,
Department for Constitutional Affairs

Dated 1st August 2004

(**1**) 1978 c. 23
(**2**) S.R. 1996 No. 100 as amended by S.R. 1997 No. 175, S.R. 1998 No. 407 and S.R. 2002 No. 341

We concur

John Heppell
Joan Ryan
Two of the Lords Commissioners of Her Majesty's Treasury

Dated 4th August 2004

SCHEDULE Article 2

"SCHEDULE Article 4

Section 1	Fees payable in every Department of the Supreme Court
Section 2	Fees payable in the Central Office
Section 3	Fees payable in the Office of the Lord Chief Justice
Section 4	Fees payable in the Bankrupty and Companies Office
Section 5	Fees payable in the Taxing Office
Section 6	Fees payable in the Office of Care and Protection

SECTION 1

Fees payable in every Department of the Supreme Court

Column 1 *Item*	Column 2 *Fee £*	Column 3 *Document to be endorsed*
A. COMMENCEMENT OF A CAUSE OR MATTER		
1. On sealing –		
(a) a writ of summons, or	175·00	The filed copy
(b) an originating summons, except for the payment out of court of a sum not exceeding £1,500 or where a fee under section 6 is payable and where no other fee is specifically provided, or	175·00	The filed copy
(c) a writ of summons or an originating summons under Order 88, or	155·00	The filed copy
(d) an originating notice of motion, except a notice of appeal to the High Court, or	175·00	The filed copy
(e) a petition, except where a fee under	175·00	The filed copy

Column 1 *Item*	Column 2 *Fee £*	Column 3 *Document to be endorsed*
section 4 or 6 of this Schedule is payable		
2. On sealing an originating summons –		
(a) On approval of a minor settlement	45·00	The filed copy
(b) under section 31 or 32(1) of the Administration of Justice Act 1970 for discovery before commencement of proceedings.	41·00	The filed copy
3. On an application for leave to apply for judicial review under Order 53. Provided that where the applicant obtains leave to move, credit for this fee is to be given against the fee payable in item 1.	52·00	The application
B. PROGRESS OF PROCEEDINGS		
Interlocutory applications		
4. On sealing a summons, a notice of appointment, or notice of motion	52·00	The notice or summons
(a) On an ex parte application to a Judge for an injunction	57·00	Ex parte docket or summons or affidavit in support of the application
(b) On an ex-parte application to a Judge for approval of a minor settlement	57·00	The ex parte docket
(c) On an application to a Master for payment out of monies invested on behalf of a minor	11·00	The application
(d) On an ex parte application before a Master	52·00	The ex parte docket
Entering and setting down for trial in court		

Column 1 *Item*	Column 2 *Fee £*	Column 3 *Document to be endorsed*
6. On entering or setting down any cause or matter for trial, hearing or further consideration in court, except where it is otherwise provided for in this Schedule	98·00	The setting down docket
(a) On setting down a cause on motion for judgment	52·00	The motion or summons
(b) where the motion is treated as the trial of the action, in addition to the fee paid on the notice of motion	45·00	The praecipe
Examination of witness before trial		
8. On the examination of a witness before trial	18·00	The order
Inquiries, trials and assessment of damages or interest by Master		
(a) On an inquiry, reference for trial or assessment of damages before a Master or Admiralty Registrar	45·00	The order, judgment or certificate
(b) On an assessment of interest before a Master	52·00	The judgment
Appeals to Judge in Chambers		
10. On sealing a notice of appeal from a Master or Admiralty Registrar or District Judge to Judge in Chambers	57·00	The notice filed
Appeals to High Court		
11. On filing –		
(a) a notice of appeal to the High Court, or	57·00	The notice filed
(b) a case stated or a special case for the opinion of the High Court pursuant	57·00	The case