STATUTORY RULES OF NORTHERN IRELAND

2002 No. 343

MAGISTRATES' COURTS

The Magistrates' Courts Fees (Amendment) Order (Northern Ireland) 2002

Made - - - - 5th November 2002

Coming into operation in accordance with Article 1

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, commencement and interpretation

1.—(1) This Order may be cited as the Magistrates' Courts Fees (Amendment) Order (Northern Ireland) 2002 and, subject to paragraph (2), shall come into operation on 2nd December 2002.

(2) Articles 3 and 4 shall come into operation on 3rd March 2003.

2. In this Order "the principal Order" means the Magistrates' Courts Fees Order (Northern Ireland) 1996(**2**).

Interpretation of the principal Order

3. After Article 2(e) of the principal Order shall be added the following –

"(f) "credit card" means a card which –

(i) may be used on its own to pay for goods or services or to withdraw cash, and

(ii) enables the holder to make purchases and to draw cash up to a prearranged limit;

(g) "debit card" means a card which may be used as a means of payment under arrangements which do not provide for the extension of credit to the cardholder, but provide for amounts paid by means of the card to be debited to a specified account in his name (or in his name jointly with one or more others); and

(h) "payment instrument" means a cheque or payable order.".

(**1**) 1978 c. 23

(**2**) S.R. 1996 No. 102 to which the most recent relevant amendments were effected by S.R. 1998 No. 410

Manner in which fees are to be taken

4. For paragraph (1) of Article 5 of the principal Order there shall be substituted the following new paragraph –

"(1) The fees prescribed in Schedule 1 shall be taken –

(a) in cash; or

(b) by credit card payment; or

(c) by debit card payment; or

(d) by payment instrument.".

Magistrates' Courts Fees

5. For Schedule 1 to the principal Order there shall be substituted the new Schedule 1 set out in the Schedule to this Order.

Dated 29th October 2002 *Irvine of Lairg,* C.

We concur

Jim Fitzpatrick
John Heppell
Two of the Lords Commissioners of Her Majesty's Treasury

Dated 5th November 2002

SCHEDULE Article 5

"SCHEDULE 1 Article 4

COURT FEES

A. In proceedings to which Part VI of the Order applies	
Debt Proceedings	*Fee*
1. Process (ordinary, enforcement or committal)	£9·00
2. Set-off, counterclaim, decree (including an order made on application under Part VIII of the Judgements Enforcement (Northern Ireland) Order 1981) or dismiss	£9·00
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)	£9·00
4. Decree or dismiss	£9·00
Duplicate Orders and Extracts from Register	
5. Notice for duplicate orders	£9·00
6. Duplicate order	£9·00
7. Certified extract from register	£9·00
B. In proceedings to which Part VII of the Order applies	
8. Notice of application or notice of appeal to a magistrates' court	£17·00
C. Appeals and case stated	
9. Copy notice of appeal lodged with clerk of petty sessions for each complaint, application, appeal or process (except where appellant in prison), subject to a maximum fee of £40	£9·00
10. Written application for case stated	£9·00
11. Case stated	£22·00
D. Notices of application under the Licensing (Northern Ireland) Order 1996	
(a) Application for renewal	£132·00
(b) Application for protection order under Article 26	£33·00
(c) Application for temporary continuance of business in other premises under Article 29	£33·00
(d) Application for transfer	£132·00
(e) Application for transfer and renewal	£264·00

(f)	Application for order for alternative permitted hours under Article 43	£132·00
(g)	Application for order for additional permitted hours under Article 44	£132·00
(h)	Application for order under Article 48 (suitability of certain premises for functions)	£132·00
(i)	Additional fee for application out of time under Article 16 for each month or part of a month	£55·00
(j)	Application for the grant of each occasional licence under Article 30 –	
(i) for the first day		£40·00
(ii) for each additional day		£10·00
(k)	Application for the grant of an extension licence	£33·00
(l)	Application for the grant of a children's certificate	£77·00
(m)	Children's certificate	£11·00
(a)	For each inspection of the register of licences as provided for under Article 35	£11·00
(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
14. A duplicate licence, being a certified copy of particulars recorded in the register of licences, issued under Article 38(2)		£66·00

E. Applications under the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985

Bookmakers' Licences and Bookmaking Office Licences

15. A notice of application for the grant of a bookmaker's licence under Article 8(1)	£125·00
16. A notice of application for the grant of a bookmaking office licence under Article 12(1)	£125·00
17. A notice of application for the provisional grant of a bookmaking office licence under Article 14(1)	£125·00