STATUTORY RULES OF NORTHERN IRELAND

2002 No. 342

COUNTY COURTS

The County Court 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 County Court 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 County Court Fees Order (Northern Ireland) 1996(**2**).

Interpretation of the principal Order

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

"(g) "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;

(h) "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

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

(**1**) 1978 c. 23

(**2**) S.R. 1996 No. 103, to which the most recent relevant amendments were effected by S.R. 1998 No. 409 and S.R. 1999 No. 136

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.".

Fees to be taken in proceedings in county courts

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
Dated 5th November 2002 Majesty's Treasury

SCHEDULE Article 5

"SCHEDULE 1 Article 4

FEES TO BE TAKEN IN PROCEEDINGS IN COUNTY COURTS

Section I	–Fees in respect of proceedings not otherwise specifically provided for in any subsequent section of this Schedule.
Section II	–Fees for specified proceedings within the equity and probate jurisdiction.
Section III	–Fees to be taken in respect of proceedings under the Licensing (Northern Ireland) Order 1996 and the Registration of Clubs (Northern Ireland) Order 1996.
Section IV	–Miscellaneous fees relating to civil proceedings and matters.
Section V	–Fees in respect of applications for arbitration under Article 30(3) of the Order.
Section VI	–Fees to be taken in respect of proceedings under the Criminal Injuries (Compensation) (Northern Ireland) Order 1988 ("the Criminal Injuries Order") and the Criminal Damage (Compensation) (Northern Ireland) Order 1977 ("the Criminal Damage Order").
Section VII	–Fees to be taken in respect of proceedings under the Family Law Act 1986.

SECTION I

FEES TO APPLY IN RESPECT OF PROCEEDINGS NOT OTHERWISE SPECIFICALLY PROVIDED FOR IN ANY SUBSEQUENT SECTION OF THIS SCHEDULE

Column 1 *No. of Fee*	Column 2 *Item*	Column 3 *Amount of Fee*	
1	On any affidavit	... .	No fee
2	On an attendance of an officer to produce records (in addition to the officer's expenses) for each day or part thereof	... .	£15·00
3	On a bond or recognizance	... .	£5·50
4	On a case stated	... .	£55·00
5	On a certificate of taxation of costs	... .	£13·00
6	On a certificate by a court officer (inclusive of search)	... .	£11·00

Column 1 *No. of Fee*	Column 2 *Item*	Column 3 *Amount of Fee*
7	On a civil bill, application or notice claiming (whether on foot of a contract or tort or by virtue of any enactment or otherwise) a sum of money or goods or chattels or any combination thereof of a value –	
	not exceeding £500 exceeding £500 but not	... . £100·00
	exceeding £2,000	... . £120·00
	exceeding £2,000	... . £135·00
8	On a civil bill in an ejectment action	... . £115·00
9	On any other civil bill	... . £115·00
10	On a third party notice	... ... the same fee as on the civil bill in the action
11	On a counterclaim or set-off where the amount thereof –	
	does not exceed £500	... . £50·00
	exceeds £500 but does not exceed £2,000	... . £60·00
	exceeds £2,000	... . £67·50
12	On a copy, including a photographic copy, of all or any part of any document filed or any record kept in the office (including comparison) –	
	(a) for five sheets or less	... . £5.50
	(b) for each sheet thereafter	... . £0·30
13	On a comparison of a document filed in the Office — per page	... . £3·00
14	On a decree, award, judgment, order or dismiss (other than an interlocutory order)	... . £60·00
15	On an interlocutory order, including an order for payment out of, or transfer or investment of, funds in court	... . No fee

Column 1 *No. of Fee*	Column 2 *Item*	Column 3 *Amount of Fee*	
16	On a Certificate of Readiness	... .	£28·00
17	On a notice of appeal to a county court (not otherwise provided for)	... .	£44·00
18	On a notice of application to the Judge for payment of funds out of court	... .	£6·00
19	On any notice or other document in an application to the Accountant General for payment out or transfer of funds and securities in court	... .	No fee
20	In any proceedings under the Adoption (Northern Ireland) Order 1987, under that Order as modified by the Parental Orders (Human Fertilisation and Embryology) Regulations 1994 or under section 30 of the Human Fertilisation and Embryology Act 1990	£44·00	
21	On a notice, petition, summons or other form of application (not otherwise provided for) initiating any proceedings	... .	£80·00
22	On a notice of application for a review by the Judge	... .	£28·00
23	On any notice of application, summons, notice of motion or other form of application to the Judge or to the District Judge (not otherwise exempted or specifically provided for)	... .	£33·00
24	On a notice of lodgment of money in court	... .	£11·00
25	On a notice of acceptance of money lodged in court	... .	£11·00
26	On a search or inspection	... .	£10·00
27	On a witness summons	... .	£13·00
28	On a certificate of application for discovery	... .	£11·00
	Note:		