STATUTORY RULES OF NORTHERN IRELAND

2002 No. 341

SUPREME COURT

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

Interpretation of the principal Order

3. For Article 2 of the principal Order there shall be substituted the following new Article –

"**2.** In this Order, unless the context otherwise requires –

(a) an Order or rule referred to by number means an Order or rule so numbered in the Rules of the Supreme Court (Northern Ireland) 1980(**3**) and expressions defined in those Rules shall have the same meaning in this Order;

(b) a fee or column referred to by number means the fee or column so numbered in the Schedule to this Order;

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

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

(**1**) 1978 c. 23
(**2**) S.R. 1996 No. 100, to which the most recent relevant amendments were effected by S.R.1998 No. 406 and S.R. 1999 No. 135
(**3**) S.R. 1980 No. 346

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

(d) "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

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

Manner in which fees are to be taken

4. For paragraph (1) of Article 7 of the principal Order there shall be substituted the following new paragraph –

"(1) Subject to paragraph (4), the fees prescribed in the Schedule 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 the Supreme Court

5. For the Schedule to the principal Order there shall be substituted the new Schedule 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 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 Bankruptcy 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	170·00	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	170·00	The filed copy
(c) a writ of summons or an originating summons under Order 88, or	150·00	The filed copy
(d) an originating notice of motion, except a notice of appeal to the High Court, or	170·00	The filed copy

Column 1 *Item*	Column 2 *Fee* *£*	Column 3 *Document to be endorsed*
(e) a petition, except where a fee under section 4 or 6 of this Schedule is payable	170·00	The filed copy
2. On sealing an originating summons –		
(a) on approval of a minor settlement	44·00	The filed copy
(b) under section 31 or 32(1) of the Administration of Justice Act 1970 for discovery before commencement of proceedings.	40·00	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.	50·00	The application
B. PROGRESS OF PROCEEDINGS		
Interlocutory applications		
4. On sealing a summons, a notice of appointment, or notice of motion	50·00	The notice or summons
(a) On an *ex parte* application to a Judge for an injunction	55·00	*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	55·00	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	50·00	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	95·00	The setting down docket
(a) On setting down a cause on motion for judgment	50·00	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	44·00	The praecipe
Examination of witness before trial		
8. On the examination of a witness before trial	17·00	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	44·00	The order, judgment or certificate
(b) On an assessment of interest before a Master	50·00	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	55·00	The notice filed
Appeals to High Court		
11. On filing –		
(a) a notice of appeal to the High Court, or	55·00	The notice filed
(b) a case stated or a special case for the opinion of the High Court pursuant to statute and setting the appeal or case down for hearing, or	55·00	The case