STATUTORY RULES OF NORTHERN IRELAND

1997 No. 178

COUNTY COURTS

The County Court Fees (Amendment) Order (Northern Ireland) 1997

Made - - - -	*19th March 1997*
Coming into operation	*1st April 1997*

The Lord Chancellor, in exercise of the powers conferred on him by section 116(1) 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 County Court Fees (Amendment) Order (Northern Ireland) 1997 and shall come into operation on 1st April 1997.

Fees to be taken in proceedings in county courts

2. For Schedule 1 to the County Court Fees Order (Northern Ireland) 1996(**2**) there shall be substituted the new Schedule 1 set out in the Schedule to this Order.

Dated 19th March 1997. *Mackay of Clashfern,* C.

(**1**) 1978 c. 23
(**2**) S.R. 1996 No. 103

We concur,

Richard Ottaway
Roger Knapman
Two of the Lords Commissioners of Her Majesty's Treasury

Dated 19th March 1997.

SCHEDULE Article 2

"SCHEDULE 1 Article 4

Fees to be taken in proceedings in County Courts

— Fees in respect of proceedings not otherwise specifically provided for in any subsequent section of this Schedule.

— Fees for specified proceedings within the equity and probate jurisdiction.

— Fees to be taken in respect of proceedings under the Licensing (Northern Ireland) Order 1996 and the Registration of Clubs (Northern Ireland) Order 1996.

— Miscellaneous fees relating to civil proceedings and matters.

— Fees in respect of applications for arbitration under Article 30(3) of the Order.

— 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").

— 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	£13·00
3	On a bond or recognizance	£5·00
4	On a case stated	£45·00

Note:

(1) In the application of item 7 to proceedings under the Judgments (Enforcement) (Northern Ireland) Order 1981 the fee on an Enforcement Civil Bill shall be the same as is payable on a civil bill for the amount claimed; and on a Committal Civil Bill shall be the same as for a civil bill for the amount of the instalment.

(2) The fees prescribed above at item 7 and 11 and at item 21 cover all necessary copies for service, entries in the Office and all notices of application to the Judge or to the District Judge, and all other notices (not otherwise specifically provided for) filed in the Office during the course of the action or matter and before final judgment.

Column 1 No. of Fee	Column 2 Item	Column 3 Amount of Fee
5	On a certificate of taxation of costs	£11·00
6	On a certificate by a court officer (inclusive of search)	£9·00
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	£80·00
	exceeding £500 but not exceeding £2,000	£105·00
	exceeding £2,000	£115·00
8	On a civil bill in an ejectment action	£100·00
9	On any other civil bill	£100·00
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	£45·00
	exceeding £500 but does not exceed £2,000	£53·00
	exceeds £2,000	£58·00
12	On a copy of any document filed or any record kept in the office (including comparison) — per page	£2·50
13	On a comparison of a document filed in the Office — per page	£2·50

Note:

(1) In the application of item 7 to proceedings under the Judgments (Enforcement) (Northern Ireland) Order 1981 the fee on an Enforcement Civil Bill shall be the same as is payable on a civil bill for the amount claimed; and on a Committal Civil Bill shall be the same as for a civil bill for the amount of the instalment.

(2) The fees prescribed above at item 7 and 11 and at item 21 cover all necessary copies for service, entries in the Office and all notices of application to the Judge or to the District Judge, and all other notices (not otherwise specifically provided for) filed in the Office during the course of the action or matter and before final judgment.

Column 1 No. of Fee	Column 2 Item	Column 3 Amount of Fee
14	On a decree, award, judgment, order or dismiss (other than an interlocutory order)	£50·00
15	On an interlocutory order, including an order for payment out of, or transfer or investment of, funds in court	No fee
16	On a Certificate of Readiness	£22·00
17	On a notice of appeal to a county court (not otherwise provided for)	£40·00
18	On a notice of application to the Judge for payment of funds out of court	£5·00
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	£40·00
21	On a notice, petition, summons or other form of application (not otherwise provided for) initiating any proceedings	£70·00
22	On a notice of application for a review by the Judge	£25·00
23	On any other notice of application to the Judge or to the District Judge (not otherwise exempted)	£30·00

Note:

(1) In the application of item 7 to proceedings under the Judgments (Enforcement) (Northern Ireland) Order 1981 the fee on an Enforcement Civil Bill shall be the same as is payable on a civil bill for the amount claimed; and on a Committal Civil Bill shall be the same as for a civil bill for the amount of the instalment.

(2) The fees prescribed above at item 7 and 11 and at item 21 cover all necessary copies for service, entries in the Office and all notices of application to the Judge or to the District Judge, and all other notices (not otherwise specifically provided for) filed in the Office during the course of the action or matter and before final judgment.