STATUTORY RULES OF NORTHERN IRELAND

1996 No. 100

SUPREME COURT

Supreme Court Fees Order (Northern Ireland) 1996

Made - - - -	*14th March 1996*
Coming into operation	*1st April 1996*

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

Citation and commencement

1. This Order may be cited as the Supreme Court Fees Order (Northern Ireland) 1996 and shall come into operation on 1st April 1996.

Interpretation

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(**2**) and expressions defined in those Rules shall have the same meaning in this Order; and

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

Revocation

3. The Supreme Court Fees Order (Northern Ireland) 1994(**3**) and the Supreme Court Fees (Amendment) Order (Northern Ireland) 1995(**4**) are hereby revoked.

Fees to be taken in proceedings in the Supreme Court

4.—(1) The fees set out in column 2 shall be payable in proceedings in the Supreme Court in respect of the items set out opposite thereto in column 1.

(**1**) 1978 c. 23
(**2**) S.R. 1980 No. 346
(**3**) S.R. 1994 No. 283
(**4**) S.R. 1995 No. 220

(2) Where it appears to the Lord Chancellor that the payment of any fee specified in the Schedule would, owing to the exceptional circumstances of the particular case, involve undue hardship, he may reduce or remit the fee in that case.

Provisions of Order not to apply

5. The provisions of this Order shall not apply to—

(a) non-contentious probate business;

(b) criminal proceedings (except proceedings on the Crown side of the Queen's Bench Division to which the scale contained in the Schedule is applicable); and

(c) matrimonial proceedings.

Fees in foreign convention proceedings

6. Where by any convention entered into by Her Majesty with any foreign power it is provided that no fee shall be required to be paid in respect of any proceedings, the fees specified in this Order shall not be taken in respect of those proceedings.

Manner in which fees are to be taken

7.—(1) Subject to paragraph (4), the fees prescribed in the Schedule shall be taken in cash.

(2) Payment of the appropriate court fee shall be endorsed on the relevant document (that is, the document indicated in column 3) by mechanical means or, where this means is not available, the person to whom the fee is paid shall endorse the relevant document by writing thereon the amount and date of payment and shall sign the endorsement.

(3) Where fees are payable under this Order in respect of any item and there is no document in reference to that item on which an endorsement can be made, the person requesting the action to which the item relates shall make the request by a requisition or note in writing which shall be endorsed as to payment of the appropriate fee in accordance with paragraph (2).

(4) Fees No. 25(*b*) and (*d*) (being certain fees payable in an Admiralty matter) shall be taken by transfer from money in court.

Application of fees

8. All fees received by virtue of the Schedule shall, unless otherwise appropriated in aid, be paid into the Consolidated Fund

Dated 11th March 1996. *Mackay of Clashfern,* C.

We concur

Derek Conway
Simon Burns
Two of the Lords Commissioners of Her Majesty's Treasury

Dated 14th March 1996

SCHEDULE A 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

Signature
Explanatory Note

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) a writ of summons, or	125·00	The filed copy
(b) (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	125·00	The filed copy

Column 1 *Item*	Column 2 *Fee £*	Column 3 *Document to be endorsed*
fee is specifically provided, or		
(c) (c) a writ of summons or an originating summons under Order 88, or	110·00	The filed copy
(d) (d) an originating notice of motion, except a notice of appeal to the High Court, or	125·00	The filed copy
(e) (e) a petition, except where a fee under section 4 or 6 of this Schedule is payable	125·00	The filed copy
2. On sealing an originating summons—	35·00	The filed copy
(a) on approval of a minor settlement		
(b) (b) under section 31 or 32(1) of the Administration of Justice Act 1970 for discovery before commencement of proceedings	30·00	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	40·00	The application
B PROGRESS OF PROCEEDINGS		
Interlocutory applications	30·00	The notice or summons
4. On sealing a summons, a notice of appointment, or notice of motion		
(a) (a) On an ex parte application to a Judge for an injunction	35·00	Ex parte docket or summons or affidavit in support of the application
(b) (b) On an application to a Master for payment	10·00	The application