STATUTORY RULES OF NORTHERN IRELAND

1996 No. 19

COUNTY COURTS

County Court (Amendment) Rules (Northern Ireland) 1996

Made - - - -	*27th January 1996*
Coming into operation	*26th February 1996*

We, the County Court Rules Committee, appointed by the Lord Chancellor under Article 46 of the County Courts (Northern Ireland) Order 1980(**1**), in exercise of the powers conferred on us by Article 47 of that Order and all other powers enabling us in that behalf, hereby make the following rules:—

Citation and interpretation

1.—(1) These rules may be cited as the County Court (Amendment) Rules (Northern Ireland) 1996.

(2) In these rules a reference to an Order, Rule, Appendix or Form is a reference to that Order, Rule, Appendix or Form as numbered in the County Court Rules (Northern Ireland) 1981(**2**).

Costs

2.—(1) Order 19 shall be amended at Rule 5 by deleting the figure "£22·96" and substituting the figure "£25·54".

(2) Order 24 shall be amended, at paragraph 7(*a*) of Rule 9, by deleting the figure "£9·00", and substituting the figure "£10·00" and by deleting the figure "£12·70" and substituting the figure "£14·12".

(3) Order 33 shall be amended, at paragraph (6) of Rule 10, by deleting the figure "£5·22" and substituting the figure "£5·80".

(4) Order 55 shall be amended as follows:—

(a) by deleting, in Rule 13, the figure "80p" and substituting the figure "90p".

(b) by deleting, in Rule 17, the figure "£1·86" and substituting the figure "£2·06".

(5) For Appendix 2 there shall be substituted the new Appendix set out in the Schedule.

(**1**) S.I. 1980/397 (N.I. 3)
(**2**) S.R. 1981 No. 225; to which the most recent relevant amendments were made by S.R. 1993 No. 322 and S.R. 1992 No. 248

We, the undersigned members of the County Court Rules Committee, having by virtue of the powers vested in us in this behalf made the foregoing Rules, do hereby certify the same under our hand and submit them to the Lord Chancellor accordingly.

J. F. B. Russell
J. J. Curran
T. A. Burgess
James A. Agnew
H. Keegan
Brian J. Stewart
P. Kelly

Dated 11th January 1996.

After consultation with the Lord Chief Justice, I allow these rules which shall come into operation on 26th February 1996.

Dated 27th January 1996 *Mackay of Clashfern, C.*

SCHEDULE Rule 2(5)

APPENDIX 2

Part I

Ordinary civil bills

TABLE 1:

PLAINTIFF'S COSTS

In actions where amount decreed— (1)	Solicitor's costs (2)
(i) does not exceed £500	£156
(ii) exceeds £500 but does not exceed £1,000	£384
(iii) exceeds £1,000 but does not exceed £2,000	£613
(iv) exceeds £2,000 but does not exceed £3,000	£841
(v) exceeds £3,000 but does not exceed £4,000	£1,033
(vi) exceeds £4,000 but does not exceed £5,000	£1,168
(vii) exceeds £5,000 but does not exceed £6,000	£1,302
(viii) exceeds £6,000 but does not exceed £7,000	£1,424
(ix) exceeds £7,000 but does not exceed £8,000	£1,535
(x) exceeds £8,000 but does not exceed £9,000	£1,635
(xi) exceeds £9,000 but does not exceed £10,000	£1,724
(xii) exceeds £10,000 but does not exceed £12,500	£1,870
(xiii) exceeds £12,500 but does not exceed £15,000	£2,055

In actions where amount decreed— (1)	Counsel's fee (3)
(i) does not exceed £500	£48

In actions where amount decreed—	Counsel's fee		
(1)	(3)		
(ii) exceeds £500 but does not exceed £1,000	£100		
(iii) exceeds £1,000 but does not exceed £2,000	£140		
(iv) exceeds £2,000 but does not exceed £3,000	£186		
	(v)	exceeds £3,000 but does not exceed £4,000	£218
(vi) exceeds £4,000 but does not exceed £5,000	£247		
(vii) exceeds £5,000 but does not exceed £7,500	£344		
(viii) exceeds £7,500 but does not exceed £10,000	£401		
(ix) exceeds £10,000 but does not exceed £12,500	£458		
(x) exceeds £12,500 but does not exceed £15,000	£516		

1. This Table does not apply to actions for defamation.
2. Counsel travelling to attend a court—
   (a) 20 to 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £16·60;
   (b) more than 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £33·24.

   Solicitor travelling to attend a court—
   (a) 20 to 50 miles from the solicitor's office or, where the solicitor's firm practises from more than one office, from the office which dealt with the proceedings is entitled to an additional sum of £16·60;
   (b) more than 50 miles from the solicitor's office or, where the solicitor's firm practises from more than one office, from the office which dealt with the proceedings is entitled to an additional sum of £33·24.

   Where a solicitor or counsel has conducted more than one case on the same day at the same venue, this fee may be claimed once only and the fee shall be divided proportionately over the number of cases conducted by the solicitor or counsel.
3. For each copy civil bill required for service after first add 90p to costs. See Order 55, Rule 13.
4. Where service of civil bill effected by post under Rule 3(2)(*b*) of Order 6 the solicitor is entitled to £2·06 inclusive of outlay in lieu of process server's fee. See Order 55, Rule 17.
5. For drafting a reply to a notice for further particulars, the solicitor or counsel, as the case may be, is entitled to an additional sum of £19·47. This item is only to be allowed against the other party in actions where the amount claimed exceeds £2,000 and the allowance is recorded in the court minute book.

6. For each day or part of a day on which a trial or hearing is continued after the first day—
   (a) counsel is entitled to an additional sum equivalent to one third of the scale fee;
   (b) a solicitor in attendance is entitled to an additional sum equivalent to one third of counsel's scale fee.
7. Where in any action or application under the Consumer Credit Act 1974 the amount decreed exceeds £15,000, the costs may be increased by such amounts as the Judge thinks proper having regard to the amount involved or the importance or difficulty of the case.

Ordinary civil bills

TABLE 2:

DEFENDANT'S COSTS

In actions where amount claimed— (1)	Solicitor's costs (2)
(i) does not exceed £500	£148
(ii) exceeds £500 but does not exceed £1,000	£366
(iii) exceeds £1,000 but does not exceed £2,000	£584
(iv) exceeds £2,000 but does not exceed £3,000	£799
(v) exceeds £3,000 but does not exceed £4,000	£982
(vi) exceeds £4,000 but does not exceed £5,000	£1,109
(vii) exceeds £5,000 but does not exceed £6,000	£1,236
(viii) exceeds £6,000 but does not exceed £7,000	£1,353
(ix) exceeds £7,000 but does not exceed £8,000	£1,458
(x) exceeds £8,000 but does not exceed £9,000	£1,553
(xi) exceeds £9,000 but does not exceed £10,000	£1,638
(xii) exceeds £10,000 but does not exceed £12,500	£1,807
(xiii) exceeds £12,500 but does not exceed £15,000	£1,952

In actions where amount claimed— (1)	Counsel's fee (3)
(i) does not exceed £500	£48
(ii) exceeds £500 but does not exceed £1,000	£100