1993 No. 322

COUNTY COURTS

County Court (Amendment No. 2) Rules (Northern Ireland) 1993

Made	*13th July 1993*
Coming into operation . .	*1st September 1993*

We, the County Court Rules Committee, appointed by the Lord Chancellor under Article 46 of the County Courts (Northern Ireland) Order 1980(**a**), 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 No. 2) Rules (Northern Ireland) 1993.

(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(**b**).

Increase in county court jurisdiction

2. In the provisions set out in column 1 of Schedule 1 for the figures set out in column 2 of that Schedule (wherever they occur) there shall be substituted the figures set out in column 3 of that Schedule.

Costs

3.—(1) Order 55 shall be amended at Rule 2 by deleting in paragraph (1) the words "commenced on or after the 1st November 1992" and by deleting paragraph (2).

(2) Order 55, Rule 19 shall be amended by substituting for the figure "£2,000" in the cross-heading the words "certain limits".

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

(**a**) S.I. 1980/397 (N.I. 3)
(**b**) S.R. 1981 No. 225

Enhanced costs where solicitor conducts trial or hearing

4. In Order 55 for Rule 2A there shall be substituted the following rule:—

"*Enhanced costs where solicitor conducts trial or hearing*

2A.—(1) Where a solicitor conducts a trial or hearing without counsel he shall be entitled to an enhancement of his costs in addition to the scale costs set out in Appendix 2.

(2) The amount of any enhancement under this rule shall be 50 per cent of the scale fee in Appendix 2 to which counsel, if conducting the trial or hearing, would have been entitled.".

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.

John K. Pringle
John J. Curran
J. F. B. Russell
Raymond T. Kerr
K. G. Nixon
Barry Valentine
Brian J. Stewart

Dated 8th July 1993.

After consultation with the Lord Chief Justice I allow these rules which shall come into operation on 1st September 1993.

Dated 13th July 1993 *Mackay of Clashfern,* C.

Amendment of the County Court Rules (Northern Ireland) 1981

Provision amended	*Existing figure*	*New figure*
Order 5, Rule 2(6)	"£10,000"	"£15,000"
Order 6A, Rule 5(1)	"£ 2,000"	"£ 3,000"
Order 25, Rule 15(1)	"£ 2,000"	"£ 3,000"
Order 25, Rule 15(3)	"£ 2,000"	"£ 3,000"
Order 46, Rule 7(2)(*b*)	"£30,000"	"£45,000"
Order 55, Rule 19(1)(*a*)	"£ 2,000"	"£ 3,000"
Form 19	"£30,000"	"£45,000"
	"£10,000"	"£15,000"
Forms 20, 21, 22, 23, 28, 29, 30, 33, 34, 36	"£30,000"	"£45,000"
Forms 71, 72, 78, 79	"£30,000"	"£45,000"
Forms 141, 151, 152, 188, 193	"£30,000"	"£45,000"

APPENDIX 2

PART I

Ordinary civil bills

(other than those provided for in Table 3)

TABLE 1: PLAINTIFF'S COSTS

In actions where amount decreed— (1)	*Solicitor's costs* (2)
(i) does not exceed £500	£ 140·00
(ii) exceeds £ 500 but does not exceed £ 1,000	£ 345·00
(iii) exceeds £ 1,000 but does not exceed £ 2,000	£ 551·00
(iv) exceeds £ 2,000 but does not exceed £ 3,000	£ 756·00
(v) exceeds £ 3,000 but does not exceed £ 4,000	£ 929·00
(vi) exceeds £ 4,000 but does not exceed £ 5,000	£1,050·00
(vii) exceeds £ 5,000 but does not exceed £ 6,000	£1,170·00
(viii) exceeds £ 6,000 but does not exceed £ 7,000	£1,280·00
(ix) exceeds £ 7,000 but does not exceed £ 8,000	£1,380·00
(x) exceeds £ 8,000 but does not exceed £ 9,000	£1,470·00
(xi) exceeds £ 9,000 but does not exceed £10,000	£1,550·00
(xii) exceeds £10,000 but does not exceed £12,500	£1,681·00
(xiii) exceeds £12,500 but does not exceed £15,000	£1,847·00

In actions where amount decreed— (1)	*Counsel's fee* (3)
(i) does not exceed £500	£ 43·00
(ii) exceeds £ 500 but does not exceed £ 1,000	£ 90·00
(iii) exceeds £ 1,000 but does not exceed £ 2,000	£126·00
(iv) exceeds £ 2,000 but does not exceed £ 3,000	£167·00
(v) exceeds £ 3,000 but does not exceed £ 4,000	£196·00
(vi) exceeds £ 4,000 but does not exceed £ 5,000	£222·00
(vii) exceeds £ 5,000 but does not exceed £ 7,500	£309·00
(viii) exceeds £ 7,500 but does not exceed £10,000	£360·00
(ix) exceeds £10,000 but does not exceed £12,500	£412·00
(x) exceeds £12,500 but does not exceed £15,000	£464·00

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 £14·92;

   (*b*) more than 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £29·88.

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 £14·92;

(*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 £29·88.

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 80p 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 £1·86 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 £17·50. 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	£ 133·00
(ii) exceeds £ 500 but does not exceed £ 1,000	£ 329·00
(iii) exceeds £ 1,000 but does not exceed £ 2,000	£ 525·00
(iv) exceeds £ 2,000 but does not exceed £ 3,000	£ 718·00
(v) exceeds £ 3,000 but does not exceed £ 4,000	£ 883·00
(vi) exceeds £ 4,000 but does not exceed £ 5,000	£ 997·00
(vii) exceeds £ 5,000 but does not exceed £ 6,000	£1,111·00
(viii) exceeds £ 6,000 but does not exceed £ 7,000	£1,216·00
(ix) exceeds £ 7,000 but does not exceed £ 8,000	£1,311·00
(x) exceeds £ 8,000 but does not exceed £ 9,000	£1,396·00