# 1992 No. 439

## COUNTY COURTS

## County Court (Amendment No. 3) Rules (Northern Ireland) 1992

| | |
|---|---|
| *Made* | *12th October 1992* |
| *Coming into operation* | *1st November 1992* |

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. 3) Rules (Northern Ireland) 1992.

(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(1) by deleting the words "1st July 1992" and substituting the words "1st November 1992" and at Rule 2(2) by deleting the words "1st June 1982" and substituting the words "1st November 1992".

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

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

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*
*Barry Valentine*
*Raymond T. Kerr*
*K. G. Nixon*
*Bernard McCloskey*

Dated 6th October 1992.

After consultation with the Lord Chief Justice I allow these rules which shall come into operation on 1st November 1992.

Dated 12th October 1992. *Mackay of Clashfern,* C.

## AMENDMENT OF THE COUNTY COURT RULES (NORTHERN IRELAND) 1981

| *Provision Amended* | *Existing figure* | *New figure* |
|---|---|---|
| Order 5, Rule 2(6) | "£ 5,000" | "£10,000" |
| Order 6A, Rule 5(1) | "£ 500" | "£ 2,000" |
| Order 25, Rule 15(1) | "£ 1,000" | "£ 2,000" |
| Order 25, Rule 15(3) | "£ 1,000" | "£2,000" |
| Order 26, Rule 2 | "£ 500" | "£ 1,000" |
| Order 26, Rule 4(2) | "£ 500" | "£ 1,000" |
| Order 46, Rule 7(2)(*b*) | "three thousand pounds" | "£30,000" |
| Order 55, Rule 2(2) | "£ 2,000" | "£ 5,000" |
| Order 55, Rule 19 (cross-heading) | "£ 1,000" | "£ 2,000" |
| Order 55, Rule 19(1)(*a*) | "£ 1,000" | "£ 2,000" |
| Order 55, Rule 19(1)(*b*) | "£ 500" | "£ 1,000" |
| Order 55, Rule 19(2) | "£ 500" | "£ 1,000" |
| Forms 12, 14, 17, 18 | "£ 500" | "£ 1,000" |
| Form 19 | "£15,000"<br>"£ 5,000" | "£30,000"<br>"£10,000" |
| Forms 20, 21, 22, 23, 28, 29, 30, 33, 34, 36 | "£15,000" | "£30,000" |
| Form 51A | "£ 300" | "£ 1,000" |
| Forms 71, 72, 78, 79 | "£15,000" | "£30,000" |
| Form 110 | "fifty pounds" | "£ 1,000" |
| Forms 141, 151, 152, 188, 193 | "£15,000" | "£30,000" |
| Forms 264, 265 | "fifty pounds" | "£ 1,000" |

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 |
| (ii) | exceeds £500 but does not exceed £1,000 | £ 345 |
| (iii) | exceeds £1,000 but does not exceed £2,000 | £ 551 |
| (iv) | exceeds £2,000 but does not exceed £3,000 | £ 756 |
| (v) | exceeds £3,000 but does not exceed £4,000 | £ 929 |
| (vi) | exceeds £4,000 but does not exceed £5,000 | £1,050 |
| (vii) | exceeds £5,000 but does not exceed £6,000 | £1,170 |
| (viii) | exceeds £6,000 but does not exceed £7,000 | £1,280 |
| (ix) | exceeds £7,000 but does not exceed £8,000 | £1,380 |
| (x) | exceeds £8,000 but does not exceed £9,000 | £1,470 |
| (xi) | exceeds £9,000 but does not exceed £10,000 | £1,550 |

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

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 £7·46;

(*b*) more than 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £14·94.

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 £11·84. 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 £10,000, 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 |
| (ii) | exceeds £500 but does not exceed £1,000 | £ 329 |
| (iii) | exceeds £1,000 but does not exceed £2,000 | £ 525 |
| (iv) | exceeds £2,000 but does not exceed £3,000 | £ 718 |
| (v) | exceeds £3,000 but does not exceed £4,000 | £ 883 |
| (vi) | exceeds £4,000 but does not exceed £5,000 | £ 997 |
| (vii) | exceeds £5,000 but does not exceed £6,000 | £1,111 |
| (viii) | exceeds £6,000 but does not exceed £7,000 | £1,216 |
| (ix) | exceeds £7,000 but does not exceed £8,000 | £1,311 |
| (x) | exceeds £8,000 but does not exceed £9,000 | £1,396 |
| (xi) | exceeds £9,000 but does not exceed £10,000 | £1,472 |