1992 No. 19

JUDGMENTS (ENFORCEMENT)

The Judgment Enforcement Fees Order (Northern Ireland) 1992

Made	*15th January 1992*
Coming into operation . .	*3rd February 1992*

The Lord Chancellor, in exercise of the powers conferred on him by section 116(1) and (4) of the Judicature (Northern Ireland) Act 1978(**a**), 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 Judgment Enforcement Fees Order (Northern Ireland) 1992 and shall come into operation on 3rd February 1992.

Interpretation

2. In this Order, unless the context otherwise requires—

(*a*) ''the Order'' means the Judgments Enforcement (Northern Ireland) Order 1981(**b**);

(*b*) ''the Judgment Enforcement Rules'' means the Rules for the time being in force under Article 141 of the Order;

(*c*) ''the Office'' means the Enforcement of Judgments Office;

(*d*) a rule or form referred to by number means the rule or form as numbered in the Judgment Enforcement Rules;

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

Revocation

3. The Judgment Enforcement Fees Order (Northern Ireland) 1989(**c**) and the Judgment Enforcement Fees (Amendment) Order (Northern Ireland) 1991(**d**) are hereby revoked.

(**a**) 1978 c. 23
(**b**) S.I. 1981/226 (N.I. 6)
(**c**) S.R. 1989 No. 412
(**d**) S.R. 1991 No. 123

Fees to be taken in the Enforcement of Judgments Office

4.—(1) The fees set out in column 3 shall be taken in the Office in respect of the matters provided for in column 2.

(2) Subject to any provision to the contrary in the Schedule to this Order the fees prescribed by this Order shall be payable by the party at whose instance the action for which the fee is prescribed is undertaken, and shall be payable before the action is undertaken.

Manner in which fees are to be taken

5. The fees prescribed by this Order shall be taken in cash.

Question over payment of any fee

6. Where any question arises with regard to the payment of any fee the Office may report the matter to the Lord Chancellor and obtain his directions thereon.

Payment of fee causing hardship

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

Application of fees

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

Dated 15th January 1992 *Mackay of Clashfern,* C.

We concur,

Thomas Sackville
Nicholas Baker

Dated 20th January 1992 Two of the Lords Commissioners of Her Majesty's Treasury

Fees

PART I

Column 1 *No. of Fee*	Column 2 *Item*	Column 3 *Amount of Fee*
1	On lodging notice of intent to apply for enforcement under rule 6; in respect of each person to be served.	£10
2	On lodging an application for enforcement under Article 22 of the Order; in respect of each respondent Where the sum due on foot of the judgment—	
	(1) does not exceed £300	27p in the £1 Minimum fee £15
	(2) exceeds £300 but does not exceed £1,000	£88 plus £10·70 per additional £100 or part thereof of the sum due in excess of £300
	(3) exceeds £1,000 but does not exceed £3,000	£190 plus £7·50 per additional £100 or part thereof of the sum due in excess of £1,000
	(4) exceeds £3,000 but does not exceed £10,000	£395 plus £2·10 per additional £100 or part thereof of the sum due in excess of £3,000
	(5) exceeds £10,000	£585 plus £1·60 per additional £100 or part thereof of the sum due in excess of £10,000
3	On lodging an application under Article 23(1) of the Order, including one copy of the report: for each respondent Where an application is made under Article 22 of the Order subsequent to an application under Article 23(1) of the Order the fee paid under Fee No. 2 shall be reduced by the amount of the fee paid under Fee No. 3	£100
4	On lodging an application for re-possession of land	£400
5	On lodging an application for restitution of goods	£150