1986 No. 232

SUPREME COURT

Supreme Court Fees (Amendment) Order (Northern Ireland) 1986

Made	*14th July 1986*
Coming into operation . . .	*31st July 1986*

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) of the Judicature (Northern Ireland) Act 1978(**a**) and sections 2 and 3 of the Public Offices Fees Act 1879(**b**), hereby makes the following Order:—

1. This Order may be cited as the Supreme Court Fees (Amendment) Order (Northern Ireland) 1986 and shall come into operation on 31st July 1986.

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

(*a*) "the principal Order" means the Supreme Court Fees Order (Northern Ireland) 1984(**c**);

(*b*) a fee referred to by number means the fee so numbered in the Schedule to the principal Order.

3. In Section 1 of the Schedule to the principal Order, for the figure £55·00 (which describes the fee payable on various originating processes in the High Court) wherever it appears, there shall be substituted the figure £60·00.

4. In Section 5 of the Schedule to the principal Order, for the figure of £15·00 (which describes the fee payable in respect of Item 33), there shall be substituted the figure of £35·00.

5.—(1) In the Schedule to the principal Order, there shall be added to the list of Sections the words "Section 7 Fees payable in the Office of Care and Protection: Patients' Affairs".

(2) In the Schedule to the principal Order there shall be inserted, as Section 7, the new Section set out in the Schedule hereto.

Dated 14th July 1986

Hailsham of St. Marylebone, C.

We concur,

Tim Sainsbury
A. G. Hamilton
Two of the Lords Commissioners of Her Majesty's Treasury

Dated 15th July 1986

(**a**) 1978 c. 23
(**b**) 1879 c. 58
(**c**) S.R. 1984 No. 14 as amended by S.R. 1984 No. 419

SCHEDULE Article 5(2)

Section 7

FEES PAYABLE IN THE OFFICE OF CARE AND PROTECTION: PATIENTS' AFFAIRS

Column 1	Column 2	Column 3
Item	*Fee* £	*Document to be stamped*
Commencement fee		
36.—(1) On a first application for the appointment of a controller or other originating process, except where it appears that the patient's clear annual income is less than £1,000.	£50·00	The requisition
(2) On commencement pursuant to a request by a personal applicant, in addition to Fee (1) above, for every £100 or fraction of £100 above £1,000 of the income which the patient's estate might be expected to yield if duly administered by the court.	£4·00 but not exceeding a total of £50·00	
Annual administration fee		
37. On a certificate issued by the Office.	in accordance with Table 1	The certificate
Transaction fee		
38.—(1) On any order (or, as the case may be, on any approval given by the court under an order) made by the court in the exercise of powers conferred by—		
(i) Article 99(1)—		
(*b*) (sale, exchange, etc. of property)		
(*c*) (acquisition of property)		
(*d*) (settlement or gift of property)		
(*h*) (carrying out of contract) or		
(*k*) (exercise of powers as guardian of trustee) of the Mental Health (Northern Ireland) Order 1985 ("the Order");		
(ii) Article 102 of the Order (vesting of stock in curator appointed outside Northern Ireland);		
(iii) section 35(9) of the Trustee Act (Northern Ireland) 1958 (appointment of new trustee);	£50·00 or, in a "special case", ¼% of the pecuniary consideration as defined in Note 4 if greater than £50	The requisition

Column 1	Column 2	Column 3
Item	*Fee* £	*Document to be stamped*
(iv) section 57(3) of the Trustee Act (Northern Ireland) 1958 (variation of trusts for benefit of patient), provided that no fee under this item shall be taken if the property is worth less than £50·00 and no such fee shall exceed £500·00.		
(2) On the making by the court of any order or authority under Article 99(1)(*e*) of the Order (execution of will).	£100·00	The requisition
Control fees		
39. On the appointment of an officer of the court as controller, except where it appears that the patient's clear annual income is less than £1,000.	£150·00	The requisition
40. On passing an account.	In accordance with Table 2	

TABLE 1 (Fee No. 37)

Clear Annual Income			*Fee*
Income Band	*Exceeding*	*Not exceeding*	
(i)		£ 1,000	None
(ii)	£ 1,000	£ 2,000	£ 75
(iii)	£ 2,000	£ 3,000	£150
(iv)	£ 3,000	£ 5,000	£225
(v)	£ 5,000	£ 7,000	£375
(vi)	£ 7,000	£10,000	£600
(vii)	£10,000	£15,000	£850
(viii)	£15,000		£850 plus 5% of income exceeding £15,000