1981 No. 195

MATRIMONIAL CAUSES
SUPREME COURT
COUNTY COURTS

The Matrimonial Causes Fees Order (Northern Ireland) 1981

Made	*15th June 1981*
Coming into operation . . .	*1st September 1981*

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**) and sections 2 and 3 of the Public Offices Fees Act 1879(**b**), after consultation with the Lord Chief Justice and with the concurrence of the Treasury, hereby makes the following Order:—

1. This Order may be cited as the Matrimonial Causes Fees Order (Northern Ireland) 1981 and shall come into operation on 1st September 1981.

2. In this Order—

(*a*) expressions used in the Matrimonial Causes Rules (Northern Ireland) 1981(**c**), have the same meaning as in those Rules;

(*b*) a rule referred to by number means the rule so numbered in the Matrimonial Causes Rules (Northern Ireland) 1981;

(*c*) "the Supreme Court Fees Order" means the Supreme Court Fees Order (Northern Ireland) 1980(**d**);

(*d*) "the County Court Fees Order" means the County Court Fees Order (Northern Ireland) 1979(**e**).

3. The fees set out in Column 2 of the Schedule to this Order shall be taken in all matrimonial proceedings, whether in the High Court or a divorce county court, in respect of the items set out in Column 1 of the Schedule.

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

5.—(1) The fees prescribed by this Order shall be taken by adhesive or impressed stamp.

(2) The document to be stamped shall be the document indicated in Column 3 of the Schedule.

(3) Any adhesive or impressed stamp used for the purpose of this Order shall be of such design and character as the Commissioners of Inland Revenue may from time to time adopt.

(**a**) 1978 c. 23
(**b**) 1879 c. 58
(**c**) S.R. 1981 No.184
(**d**) S.R. 1980 No. 264
(**e**) S.R. 1979 No. 154, amended by S.R. 1980 Nos. 97 and 239

6. For the purposes of this Order—

(*a*) "impressed stamp" means an impressed Northern Ireland fee stamp; and

(*b*) "adhesive stamp" means—

(i) in relation to proceedings in the High Court, an adhesive Northern Ireland judicature fee stamp; and

(ii) in relation to proceedings in a divorce county court, an adhesive Northern Ireland county court fee stamp.

7. Every adhesive stamp used in pursuance of this Order shall be cancelled by the proper officer of the High Court or a divorce county court, as the case may be.

8. The fees taken under this Order shall be applied as the Lord Chancellor, with the concurrence of the Treasury, may direct.

9.—(1) Fees numbered 3, 5, 12, 14, 15, 16, 20, 25, 39, 47, 48, 61 and 62 in the Schedule to the Supreme Court Fees Order shall not apply to matrimonial proceedings in the High Court.

(2) Fees numbered 5, 14, 19, 23, 25, 28 and 29 in Schedule 1 to the County Court Fees Order shall not apply to matrimonial proceedings in a divorce county court.

Dated 21st May 1981.

Hailsham of St. Marylebone, C.

We concur,

John Wakeham
J. A. Cope
Two of the Lords Commissioners of Her Majesty's Treasury.

Dated 15th June 1981.