1979 No. 448

JUDICATURE, NORTHERN IRELAND

COUNTY COURTS

County Court (Amendment No. 3) Rules (Northern Ireland) 1979

Made . . . . . 14*th December* 1979

Coming into operation . . . 1*st January* 1980

We, the County Court Rules Committee, appointed by the Lord Chancellor under section 146 of the County Courts Act (Northern Ireland) 1959(**a**), hereby, in accordance with that section, make the following rules:—

Citation

1. These rules may be cited as the County Court (Amendment No. 3) Rules (Northern Ireland) 1979.

Interpretation

2. In these rules a reference to an Order by number or to an Appendix by letter is a reference to that Order or Appendix as numbered or lettered in the County Court Rules (Northern Ireland) 1976(**b**).

Amendments of the Rules of 1976

3.—(1) The provisions of the County Court Rules (Northern Ireland) 1976 specified in the first column of Schedule 1 are amended to the extent specified in the second column.

(2) After Order 28A there shall be inserted the Order 28B set out in Schedule 2.

(3) After Appendix XA there shall be inserted the Appendix XB set out in Schedule 3.

Saving for previous application of pre-existing scales

4. Nothing in these rules shall affect any action, suit or matter commenced before the coming into operation of these rules and the costs payable to solicitors and in respect of counsel shall be those payable immediately before the commencement of these rules.

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.

J. P. Higgins
H. Collen
T. F. Glass

After consultation with the Lord Chief Justice I allow these rules which shall come into operation on 1st January 1980.

Dated the 14th day of December 1979.

Hailsham of St. Marylebone, C.

(a) 1959 c. 25 (N.I.) as amended by 1978 c. 23
(b) S.R. 1976 No. 374 (II, p. 1774)

SCHEDULE 1

Amendment of the County Court Rules (Northern Ireland) 1976

<table>
<tr><th>Provision amended</th><th>Extent of amendment</th></tr>
<tr><td>Order 24</td><td>In rule 17 for the words "valuation list relating to those lands or part thereof" there shall be substituted the words "latest valuation list relating to the hereditament" and for the word "lands" where it subsequently occurs there shall be substituted the word "hereditament".</td></tr>
<tr><td>Order 25</td><td>In rule 15(1) and (3) for the expression "£300" there shall be substituted the expression "£500".</td></tr>
<tr><td>Order 45</td><td>In Rule 2 for the words "1st January 1976," there shall be substituted the words "1st January 1980,".
In rule 5(1) for the expression "£1,000" there shall be substituted the expression "£2,000".
In rule 19(1)(a) for the expression "£300" there shall be substituted the expression "£500".</td></tr>
<tr><td>Appendix ZK</td><td>In Part I for Tables 1, 2, 3, 6 and 7 there shall be substituted the following respective Tables—
"TABLE 1: PLAINTIFF'S COSTS
<table>
<tr><th>In actions where amount decreed
(1)</th><th>Solicitor's costs
(2)</th><th>Counsel's fee
(3)</th></tr>
<tr><td>(i) does not exceed £30</td><td>£12.00</td><td>£6.00</td></tr>
<tr><td>(ii) exceeds £30 but does not exceed £100</td><td>£30.00</td><td>£12.00</td></tr>
<tr><td>(iii) exceeds £100 but does not exceed £250</td><td>£60.00</td><td>£20.00</td></tr>
<tr><td>(iv) exceeds £250 but does not exceed £500</td><td>£100.00</td><td>£28.00</td></tr>
<tr><td>(v) exceeds £500 but does not exceed £750</td><td>£140.00</td><td>£36.00</td></tr>
<tr><td>(vi) exceeds £750 but does not exceed £1,000</td><td>£180.00</td><td>£44.00</td></tr>
<tr><td>(vii) exceeds £1,000 but does not exceed £1,500</td><td>£250.00</td><td>£60.00</td></tr>
<tr><td>(viii) exceeds £1,500</td><td>£300.00</td><td>£70.00</td></tr>
</table></td></tr>
</table>

TABLE 2: DEFENDANT'S COSTS

In actions where amount decreed (1)	Solicitor's costs (2)	Counsel's fee (3)
(i) does not exceed £30	£11.00	£6.00
(ii) exceeds £30 but does not exceed £100	£28.00	£12.00
(iii) exceeds £100 but does not exceed £250	£58.00	£20.00
(iv) exceeds £250 but does not exceed £500	£95.00	£28.00
(v) exceeds £500 but does not exceed £750	£135.00	£36.00
(vi) exceeds £750 but does not exceed £1,000	£175.00	£44.00
(vii) exceeds £1,000 but does not exceed £1,500	£240.00	£60.00
(viii) exceeds £1,500	£290.00	£70.00

TABLE 3: PLAINTIFF'S COSTS

In actions where amount decreed (1)	Where sum claimed and costs specified in civil bill not paid within 14 days of service (2)
(i) does not exceed £30	£10.00
(ii) exceeds £30 but does not exceed £100	£15.00
(iii) exceeds £100 but does not exceed £250	£22.00
(iv) exceeds £250 but does not exceed £500	£24.00
(v) exceeds £500 but does not exceed £1,000	£30.00
(vi) exceeds £1,000 but does not exceed £1,500	£35.00
(vii) exceeds £1,500	£40.00

Provision amended	Extent of amendment

TABLE 6: PLAINTIFF'S COSTS

In actions where amount decreed (1)	Solicitor's costs (2)	Counsel's fee (3)
(i) does not exceed £100	£50.00	£25.00
(ii) exceeds £100 but does not exceed £250	£75.00	£40.00
(iii) exceeds £250	£100.00	£55.00

TABLE 7: DEFENDANT'S COSTS

In actions where amount decreed (1)	Solicitor's costs (2)	Counsel's fee (3)
(i) does not exceed £100	£48.00	£25.00
(ii) exceeds £100 but does not exceed £250	£70.00	£40.00
(iii) exceeds £250	£100.00	£55.00"

In Part II for Table 2 there shall be substituted the following Table—

"TABLE 2: DEFENDANT'S COSTS[2]

Solicitor's costs £175.00
Counsel's fee[3] £44.00

provides, however, that, where no specific sum or a sum exceeding £1,000 is claimed, the Judge, having regard to the importance or difficulty of the case or to the amount involved, may increase the above amount."

In Part VIII—

for the Table in paragraph 2 there shall be substituted the following Table—

"Where the value of the personalty and lands—	The scale applicable shall be—
does not exceed £500	Scale 1
exceeds £500 but not £1,000	Scale 2
exceeds £1,000 but not £2,000	Scale 3
exceeds £2,000 but not £3,000	Scale 4
exceeds £3,000 but not £4,000	Scale 5
exceeds £4,000 but not £5,000	Scale 6
exceeds £5,000	Scale 7"

for the Table under the heading "Counsel's fees" there shall be substituted the following Table—

"Counsel's fees

	Scale 1	Scale 2	Scale 3	Scale 4	Scale 5	Scale 6	Scale 7
	£	£	£	£	£	£	£
For advising proceedings or defence, settling the equity civil bill or petition and advising proofs—	6	12	16	20	24	28	32
On the hearing of every equity civil bill or petition—	12	17	22	27	32	37	42