1979 No. 160

JUDICATURE, NORTHERN IRELAND

FEES AND PERCENTAGES

Supreme Court Fees Order (Northern Ireland) 1979

Made . . . . . 30*th April* 1979

Coming into operation . . . . 21*st May* 1979

The Lord Chancellor, after consultation with the Lord Chief Justice and with the concurrence of the Treasury, in exercise of the powers conferred by section 116 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 Order (Northern Ireland) 1979 and shall come into operation on 21st May 1979.

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

(*a*) an Order or rule referred to by number means an Order or rule so numbered in the Rules of the Supreme Court (Northern Ireland) 1936(**c**);

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

3. The fees set out in the second column of the Schedule shall be taken in the Supreme Court of Northern Ireland in respect of the items set out in the first column of the Schedule.

4. The provisions of this Order shall not apply to—

(*a*) non-contentious probate business;

(*b*) proceedings in the Family Division (Office of Care and Protection);

(*c*) criminal proceedings (except proceedings on the Crown side of the Queen's Bench Division to which the scale contained in the Schedule is applicable).

5. Where it appears to the Lord Chief Justice that the payment of any fee specified in the Schedule would, owing to the exceptional circumstances of the particular case, involve undue hardship, the Lord Chief Justice may reduce or remit the fee in that case.

6.—(1) Where by any convention entered into by Her Majesty with any foreign power it is provided that no fee shall be required to be paid in respect of any proceedings, the fees specified in this Order shall not be taken in respect of those proceedings.

(**a**) 1978 c. 23
(**b**) 1879 c. 58
(**c**) S.R. & O. 1936 No. 70 (II p. 2559)

(2) The fees specified in this Order shall be remitted where such fees, if taken, would be payable out of money provided by the Parliament of the United Kingdom.

7.—(1) The fees prescribed by this Order shall, subject to the provisions of this paragraph, be taken by impressed stamps.

(2) Those items marked with an asterisk may be taken either by adhesive or impressed stamps.

(3) A Master or Registrar of the Supreme Court may permit any fee to be taken by adhesive stamps.

(4) The document to be stamped shall be the document indicated in the third column of the Schedule.

(5) Any impressed or adhesive 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.

8. For the purposes of this Order an impressed stamp means an impressed Northern Ireland fee stamp, and an adhesive stamp means an adhesive Northern Ireland judicature fee stamp.

9. Every adhesive stamp used in pursuance of this Order shall be cancelled by the proper officer of the Supreme Court of Northern Ireland.

10. In the case of fees on proceedings in bankruptcy—

(*a*) where the stamp is to be impressed, the party presenting the document for stamping shall inform the stamping officer, by means of an indication on the document or otherwise, that the fee relates to such proceedings; and

(*b*) where the stamp is to be adhesive, it shall be a stamp on which the word "Bankruptcy" is printed.

11. A folio is to comprise seventy-two words, every figure being counted as one word. Part of a folio shall be deemed to be one folio and part of a page shall be deemed to be one page.

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

Dated the 26th April 1979.

(Signed) *Elwyn-Jones, C.*

We concur

Dated the 30th April 1979.

(Signed) *T. M. Cox*
T. E. Graham
Lords Commissioners of
Her Majesty's Treasury.

SCHEDULE

PART I

FEES PAYABLE IN EVERY DIVISION OF THE HIGH COURT
(unless otherwise provided)

Nature	*Fees*	*Document to be stamped*
Writs, etc.	£	
*1. On sealing a writ of summons	15·00	The copy filed
*2. On sealing an originating motion	15·00	The copy filed
*3. On sealing an originating summons, except where fee 4 or fee 21 is payable	15·00	The copy filed
*4. On sealing an originating summons for the payment out of court of a sum not exceeding £1,500	2·00	The copy filed
*5. On sealing a writ of subpoena, per person	1·00	The praecipe
Copies of Documents		
*6. For examining a plain copy, and marking the same as an office copy	0·25 per page	The requisition
*7. For a typewritten copy of any document and marking the same as an office copy	0·50 per page	The requisition
*8. For a reproduction of any document or part thereof, by photographic or other similar process—and marking the same as an office copy	0·25 per page	The requisition
*9. For a copy, other than a photographic copy, in a foreign language	Reasonable cost as certified by proper officer	The requisition
*10. For a copy, other than a photographic copy, of a plan, map, section, drawing, photograph or diagram	Reasonable cost as certified by proper officer	The requisition

Nature	*Fees*	*Document to be stamped*
	£	
*11(*a*) For a stencilled copy of a written judgment and marking the same as an office copy	0·10 per page	The requisition
(*b*) For any other stencilled copy and marking the same as an office copy	first copy 0·25 per page subsequent copies 0·10 per page;	The requisition
12. In a probate or matrimonial cause or matter—		
(*a*) For a copy of all or part of any document, issued as an office copy, for each page	0·25	The requisition
(*b*) For a certified copy of any document And for each page after the first a further additional fee of	0·50 0·25	The requisition
(*c*) For a sealed and certified copy of any document And for each page after the first, a further additional fee of	1·00 0·25	The requisition
Registration of Judgments		
*13. Under the Judgments Extension Act 1868—		
(*a*) On a certificate of a judgment for registration in England or Scotland	2·00	The requisition
(*b*) On registration of a certificate issued by an English or Scottish Court	2·00	The certificate
Searches and Inspections		
*14. On a search (including inspection), except in bankruptcy	0·25	The search docket
*15. For an official certificate of the result of a search in any register or index	0·50 for first name 0·25 every other name	The requisition

Nature	*Fees*	*Document to be stamped*
Hearing	£	
16.(*a*) On entering or setting down a cause or issue for trial or hearing (including a special case, case stated or statutory appeal, but excluding a civil bill appeal) and for filing the judgment or order	10·00	The setting down docket
(*b*) On setting down an action on motion for judgment under O. 27 r. 12 and for filing the judgment or order	4·00	The setting down docket
Judgments, Decrees and Orders		
*17.(*a*) For filing any final judgment or final order except where fee 16 has been paid and except in applications for wardship	4·00	The judgment or requisition
(*b*) For filing any interlocutory judgment or interlocutory order except in applications for wardship	2·00	The judgment or requisition
*18. For filing any final or interlocutory order in applications for wardship	1·00	The requisition
Accounts		
19. For taking and certifying the result of any account of money received by any person liable to account therefor or due to any person, for every £100, or fraction thereof, of amount received or found due, but excluding the amount of any balance carried forward on a previous account in the cause, except in bankruptcy	0·25 (minimum fee £2·00; maximum fee £25·00)	The requisition
Petitions		
*20. On presenting a petition except where fees 21, 26, 47 or 54 are payable	15·00	The petition or copy filed
21. On any application by way of petition or originating summons for wardship or adoption	10·00	The petition or copy filed