**1977 No. 103**

**FEES AND PERCENTAGES**

**Supreme Court Fees Order (Northern Ireland) 1977**

*Made* . . . . . 31*st March* 1977

*Coming into operation* . . . . 30*th May* 1977

*To be laid before Parliament*

The Right Honourable Sir Robert Lynd Erskine Lowry, Lord Chief Justice of Northern Ireland, with the concurrence of the Treasury, in exercise of the powers conferred by the Supreme Court of Judicature (Ireland) Acts 1877 to 1897(**a**), the Government of Ireland Act 1920(**b**), the Supreme Court of Judicature (Northern Ireland) Order 1921(**c**), sections 2 and 3 of the Public Offices Fees Act 1879(**d**) and all other powers and authorities enabling me in this behalf do hereby order and direct as follows:

**1.** The Interpretation Act 1889(**e**) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

**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(**f**);

(*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 Department for the Affairs of Patients;

(*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.

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(a) 40 & 41 Vict. c. 57; 50 & 51 Vict. c. 6; and 60 & 61 Vict. c. 66
(b) 10 & 11 Geo. 5 c. 67
(c) S.R. & O. 1921 No. 1802 (p. 1332)
(d) 42 & 43 Vict. c. 58
(e) 52 & 53 Vict. c. 63
(f) S.R. & O. 1936 No. 70 (II, p. 2559)

**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.

(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 Registrar or the Chief Clerk 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 Supreme Court Fees Order (Northern Ireland) 1976(g) is hereby revoked, save as respects fees

(*a*) due or payable before the 1st day of September 1976, or

(*b*) payable in proceedings where a bankrupt or arranging debtor has made an offer of composition before that date,

which shall be assessed in accordance with the Supreme Court Fees Order (Northern Ireland) 1971(h) as if that Order had not been revoked.

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(g) S.R. 1976 No. 215 (I, p. 984)
(h) S.R. & O. (N.I.) 1971 No. 28 (p. 195)

**13.** This Order may be cited as the Supreme Court Fees Order (Northern Ireland) 1977, and shall come into operation on the 30th day of May 1977.

Dated this 31st March 1977.

(Signed) *Robert Lowry*
Lord Chief Justice

We concur in this Order.

(Signed) *Donald R. Coleman*
*J. Dormand*
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 | 10·00 | The copy filed |
| *2. On sealing an originating notice of motion | 10·00 | The copy filed |
| *3. On sealing an originating summons, except where fee 4 or fee 21 is payable | 10·00 | 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<br>And for each page after the first a further additional fee of | 0·50<br>0·25 | The requisition |
| (*c*) For a sealed and certified copy of any document<br>And for each page after the first, a further additional fee of | 1·00<br>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 |