1978 No. 39

COUNTY COURTS

County Court (Costs in Affiliation and Separation and Maintenance Appeals) (Amendment) Rules (Northern Ireland) 1978

Made . . . . . *7th February* 1978

Coming into operation . . . *1st April* 1978

To be laid before Parliament

The Secretary of State, in pursuance of section 146 of the County Courts Act (Northern Ireland) 1959(a), on the recommendation of the County Court Rules Committee and after consultation with the Lord Chief Justice, hereby makes the following rules:

Citation and commencement

1. These rules may be cited as the County Court (Costs in Affiliation and Separation and Maintenance Appeals) (Amendment) Rules (Northern Ireland) 1978 and shall come into operation on 1st April 1978.

Amendment to Rules of 1966

2.—(1) In rule 1(1) of the County Court (Costs in Affiliation and Separation and Maintenance Appeals) Rules (Northern Ireland) 1966(b) after sub-paragraph (*e*) there shall be added the following sub-paragraph:

"(*f*) the Maintenance Orders (Reciprocal Enforcement) Act 1972;".

(2) In the schedule to those rules for the expression "£30.00" in both places where it occurs there shall be substituted the expression "£60.00".

Roy Mason
One of Her Majesty's Principal Secretaries of State

Northern Ireland Office
7th February 1978

EXPLANATORY NOTE

(This note is not part of the rules but is intended to indicate their general purport.)

These rules amend the County Court (Costs in Affiliation and Separation and Maintenance Appeals) Rules (Northern Ireland) 1966 so as to include appeals under the Maintenance Orders (Reciprocal Enforcement) Act 1972 and to increase from £30 to £60 the maximum figure for costs recoverable in respect of a solicitor's remuneration and outlay or for counsel's fee, respectively, in the county court by a successful party from an unsuccessful party in an appeal from the order of a court of summary jurisdiction in affiliation or separation and maintenance proceedings.

(a) 1959 c. 25 (N.I.) as modified by S.I. 1973/2163 (1973 III, p. 7541)
(b) S.R. & O. (N.I.) 1966, No. 276 (p. 887) as amended by S.R. 1974 No. 110 (I, p. 367)