1980 No. 239

COUNTY COURTS

The County Court Fees (Amendment No. 2) Order (Northern Ireland) 1980

Made . . . . . *15th July 1980*

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

The Lord Chancellor, in exercise of the powers conferred on him by section 116(1) of the Judicature (Northern Ireland) Act 1978(a), 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 County Court Fees (Amendment No. 2) Order (Northern Ireland) 1980 and shall come into operation on 1st September 1980.

2. For Schedule 1 to the County Court Fees Order (Northern Ireland) 1979(b) there shall be substituted the Schedule 1 set out in the Schedule to this Order.

Dated 11th July 1980.

Hailsham of St. Marylebone, C.

We concur,

Peter Morrison
David Waddington
Two of the Lords Commissioners of Her Majesty's Treasury

Dated 15th July 1980.

(a) 1978 c. 23
(b) S.R. 1979 No. 154 (I, p. 683)

SCHEDULE 1

Section I — Fees in respect of proceedings not otherwise specifically provided for in any subsequent Section of this Schedule.

Section II — Fees for specified proceedings within the Equity and Probate jurisdiction.

Section III — Fees for Spirit Licensing proceedings.

Section IV — Miscellaneous fees relating to civil proceedings and matters.

Section V — Fees in respect of applications for arbitration under section 61A(3) of the Act.

SECTION I

Fees to apply in respect of proceedings not otherwise specifically provided for in any subsequent Section of this Schedule

Column 1 *No. of Fee*	*Column 2* *Item*	*Column 3* *Amount of Fee*
1	On any affidavit	No fee
2	On an attendance of an officer to produce records (in addition to the officer's expenses), for each day or part thereof	£5.00
3	On a bond or recognizance	£1.00
4	On a case stated	£7.00
5	On a certificate of taxation of costs	£3.00
6	On a certificate by a court officer (inclusive of search)	£1.00
7	On an ordinary, default or summary civil bill, application or notice claiming (whether on foot of a contract or tort or by virtue of any enactment or otherwise) a sum of money or goods or chattels or any combination thereof of a value—	
	not exceeding £100	£2.00
	exceeding £100 but not exceeding £500	£6.00
	exceeding £500 but not exceeding £1,000	£10.00
	exceeding £1,000	£16.00
8	On a civil bill in an ejectment action	£6.00
9	On any other civil bill	£6.00
10	On a third party notice the like fee as on the civil bill in the action	
11	On a counterclaim or set-off—	
	Where the amount thereof—	
	does not exceed £100	£1.00
	exceeds £100 but not £500	£3.00
	exceeds £500 but not £1,000	£5.00
	exceeds £1,000	£8.00
12	On a copy of any document filed or any record kept in the Office (including comparison) — per page	50p
13	On a comparison of a document filed in the Office — per page	50p

Column 1 No. of Fee	Column 2 Item	Column 3 Amount of Fee
14	On a decree, award, judgment, order or dismiss (other than an interlocutory order)	£4.00
15	On an interlocutory order including an order for payment out of or transfer or investment of funds in court	No fee
16	On the initial entry of any defence	50p
17	On late entry of a civil bill or defence, unless the Judge otherwise orders	£2.00
18	On the initial entry of a remitted action	50p
19	On a notice of appeal to or from a county court (not otherwise provided for)	£6.00
20	On a notice of application to the judge for payment out of court of funds	£1.00
21	On any notice or other document in an application to the Accountant General for payment out or transfer of funds and securities in Court	No fee
22	In any proceedings under the Adoption Act (Northern Ireland) 1967	No fee
23	On a notice, petition, summons or other form of application (not otherwise provided for) initiating any proceedings	£6.00
24	On a notice of application for a review by the Judge	£2.00
25	On any other notice of application to the Judge or to the Circuit Registrar (not otherwise exempted)	£2.00
26	On a notice of lodgment of money in Court	No fee
27	On a notice of acceptance of money lodged in Court	No fee
28	On a search or inspection	£1.00
29	On a witness summons	£1.00
	Note: (1) In the application of item 7 to proceedings under the Judgments (Enforcement) Act (Northern Ireland) 1969 the fee on the Enforcement Civil Bill shall be the same as is payable on a civil bill for the amount claimed; and on a Committal Civil Bill shall be the same as for a civil bill for the amount of the instalment. (2) The fees prescribed above at items 7 to 11 inclusive and at item 23 cover all necessary copies for service, entries in the Office and, all notices of application to the Judge or to the Circuit Registrar, and all other notices (not otherwise specifically provided for) filed in the office during the course of the action or matter and before final judgment.	

SECTION II

Fees for specified proceedings within the Equity and Probate jurisdiction

Column 1 No. of Fee	*Column 2 Item*	*Column 3 Amount of Fee*
1	On a civil bill or petition, where the property or estate the subject matter of the proceedings—	
	(*a*) either insofar as it consists of lands or premises does not exceed £300 in annual value or insofar as it consists of personalty does not exceed £500 in amount or value	£6.00
	(*b*) either insofar as it consists of lands or premises exceeds £300 in annual value or insofar as it consists of personalty exceeds £500 in amount or value	£10.00
	Provided that in the case of a mortgage suit or creditor's administration suit where the amount claimed does not exceed £250 the fee on the civil bill shall be £4.00	
2	On a primary or final decree, order or dismiss	£4.00
3	On a decree or order not otherwise provided for (including an interlocutory order)	£4.00
4	On the taking of an account or the holding of an inquiry by an officer pursuant to an order of the Judge, for each hour or part thereof	£6.00
5	On the officer's certificate thereof	£2.00
6	On an affidavit for the lodgment in court of a sum of money (fee to cover all necessary notices and certificates by the chief clerk)	£4.00
	Note: The fees prescribed above at items 1 and 2 cover all necessary copies for service, entries in the Office, summons to proceed, all notices of motion, and all other notices (not otherwise specifically provided for) filed in the office during the course of the suit or matter and before final judgment and in the case of a Probate Suit, the Certificate of Decree to be transmitted to the Probate Registry.	

SECTION III

Fees for Spirit Licensing proceedings

Column 1 No. of Fee	*Column 2 Item*	*Column 3 Amount of Fee*
1	On a notice of application to the court in relation to a licence, including notice of application for a declaration under section 8 of the Licensing Act (Northern Ireland) 1971 or for an order under section 31 of that Act	£20.00

SECTION IV

Miscellaneous fees relating to civil proceedings and matters

Column 1 *No. of Fee*	*Column 2* *Item*	*Column 3* *Amount of Fee*
	UNDER THE INFERIOR COURTS JUDGMENTS EXTENSION ACT 1882	
1	On a certificate issued or registered under the Act	£4.00
2	On a copy of any such certificate	50p
	UNDER THE PARLIAMENTARY DOCUMENTS DEPOSIT ACT 1837	
3	On a search in papers deposited under Standing Orders of Parliament, for each hour or part thereof	£1.00
4	On an extract from papers so deposited per page	50p

SECTION V

Fees to apply in respect of applications for arbitration under section 61A(3) of the Act

Column 1 *No. of Fee*	*Column 2* *Item*	*Column 3* *Amount of Fee*
1	On lodging an application in which the amount claimed, or the value of the specific chattels claimed—	
	does not exceed £50	£2.00
	exceeds £50	£5.00
2	On a counterclaim or set-off where the amount thereof—	
	does not exceed £50	£1.00
	exceeds £50	£2.50

EXPLANATORY NOTE

(This note is not part of the Order, but is intended to indicate its general purport.)

This Order provides for increases in fees taken in the county court and extends the scale in respect of ordinary, default or summary civil bills in consequence of the County Court (Financial Limits) Order (Northern Ireland) 1979.