1995 No. 290

COUNTY COURTS

The County Court Fees (Amendment No. 2) Order (Northern Ireland) 1995

Made . . . . . *13th July 1995*

Coming into operation . . *1st September 1995*

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) 1995 and shall come into operation on 1st September 1995.

2. Section 1 of Schedule 1 to the County Court Fees Order (Northern Ireland) 1994(**b**) shall be amended as follows:—

(*a*) at Fee No. 7 by deleting the words ", default or summary" in Column 2;

(*b*) at Fee No. 16 by substituting, for the words in Column 2, the words "On the delivery to the chief clerk of a notice of intention to defend";

(*c*) by deleting Fee No. 17;

(*d*) at Fee No. 18 by substituting, for the word "entry" in Column 2, the word "lodgment"; and

(*e*) by adding, after Fee No. 30, the following new Fee:—

"31	On an application to the District Judge under Order 12 to have damages assessed	... £24·00"

3. The amendments made by this Order shall not apply to any civil bill served before 1st September 1995.

Dated 11th July 1995 — *Mackay of Clashfern,* C.

We concur,

Andrew Mackay
Derek Conway

Dated
13th July 1995

Two of the Lords Commissioners of Her Majesty's Treasury

(**a**) 1978 c. 23
(**b**) S.R. 1994 No. 280; as amended by S.R. 1995 No. 221

EXPLANATORY NOTE

(*This note is not part of the Order.*)

This Order amends the County Court Fees Order (Northern Ireland) 1994 (as amended by S.R. 1995 No. 221) to take account of the amendments to county court practice to be effected by County Court (Amendment No. 2) Rules (Northern Ireland) 1995 [S.R. 1995 No. 151] from 1st September 1995.

The Order amends Section 1 of Schedule 1 to the 1994 Fees Order so as to:

(*a*) revise Fee No. 7 to take account of the single ordinary civil bill procedure which will replace the current default and summary civil bill procedures;

(*b*) apply Fee No. 16 (fee taken on entry and late entry of a defence) to the delivery to the chief clerk of the new form of Notice of Intention to Defend, and delete Fee No. 17;

(*c*) amend Fee No. 18 to refer to the lodgment rather than entry of a remitted action; and

(*d*) introduce a new fee (of £24) payable on an application for assessment of damages under Order 12 of the County Court Rules (Northern Ireland) 1981.