

1976 No. 97

COUNTY COURTS

County Court (Costs) (Amendment) Rules (Northern
Ireland) 1976*Made* 16th March 1976*Coming into operation* 1st April 1976*To be laid before Parliament*

The Secretary of State(a), in pursuance of section 146 of the County Courts Act (Northern Ireland) 1959(b) 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) (Amendment) Rules (Northern Ireland) 1976 and shall come into operation on 1st April 1976.

Amendment of Rules of 1965

2. The provisions of the County Court Rules (Northern Ireland) 1965(c) specified in the first column of the Schedule are hereby amended to the extent specified in the second column thereof.

Saving for previous application of pre-existing scales

3. Nothing in these rules shall affect any action, suit or matter commenced before 1st April 1976 and the costs payable to solicitors and in respect of counsel shall in such action, suit or matter be those payable immediately before the commencement of these rules.

*Merlyn Rees*Northern Ireland Office,
15th March 1976One of Her Majesty's Principal
Secretaries of State

We concur in so much of the Schedule as amends Appendix ZM to the County Court Rules (Northern Ireland) 1965 (prescribing court fees).

J. Dormand
James A. Dunn

16th March 1976

Two of the Lords Commissioners
of Her Majesty's Treasury

(a) Formerly the Minister of Home Affairs for Northern Ireland: see S.I. 1973/2163

(b) 1959 c. 25 (N.I.)

(c) S.R. & O. (N.I.) 1965 No. 261 (p. 1097) as amended by S.R. 1975 No. 345

SCHEDULE

Amendment of the County Court Rules (Northern Ireland) 1965

<i>Provision amended</i>	<i>Amendment</i>
Appendix ZL	<p>In Part I Tables 4 and 5, in Part III Tables 1 and 2 and in Part VI Tables 1 and 2 for the expression £50 wherever it appears there shall be substituted the expression £300.</p> <p>In Part VIII for paragraph 3 there shall be substituted the following paragraph—</p> <p>“3. For the purpose of ascertaining the appropriate scale, the value of any lands not valued by a court valuer or sold in the course of proceedings shall, subject to any direction of the Judge, be taken to be five times their net annual value.</p> <p>3A. Where the subject of the proceedings is under the Rates (Northern Ireland) Order 1972 property which is not treated as a hereditament, its value shall, where the property is not valued by a court valuer or sold in the course of the proceedings be taken, subject to any direction of the Judge, to be an amount which is equal to forty times the amount which the Commissioner of Valuation certifies would be entered in the valuation list as its net annual value if it were so treated and if it had been valued under the enactments repealed by that Order.”</p>
Appendix ZM	<p>In Part I in items 10 and 17 for the expression £50 and in Part II in item 1 for the expression £30 there shall respectively be substituted the expression £300.</p>

EXPLANATORY NOTE

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

These rules amend Appendices ZL and ZM to the County Court Rules (Northern Ireland) 1965, as amended by the County Court (Costs) Rules (Northern Ireland) 1975, in consequence of the amendments to the County Courts Act (Northern Ireland) 1959 made by the Revaluation (Consequential Provisions) Order (Northern Ireland) 1976 (S.R. 1976 No. 22):