

1980 No. 264

SUPREME COURT

Supreme Court Fees Order (Northern Ireland) 1980

Made 30th July 1980

Coming into operation 1st September 1980

The Lord Chancellor, after consultation with the Lord Chief Justice and with the concurrence of the Treasury, in exercise of the powers conferred by section 116 of the Judicature (Northern Ireland) Act 1978(a) and sections 2 and 3 of the Public Offices Fees Act 1879(b) hereby makes the following Order.

1. This Order may be cited as the Supreme Court Fees Order (Northern Ireland) 1980 and shall come into operation on 1st September 1980.

2. In this Order, unless the context otherwise requires, a fee referred to by number means the fee so numbered in the Schedule to this Order.

3. The fees set out in Column 2 of the Schedule shall be taken in the Supreme Court of Northern Ireland in respect of the items set out in Column 1 of the Schedule.

4. The provisions of this Order shall not apply to—

- (a) non-contentious probate business;
- (b) proceedings affecting the affairs of patients in the Office of Care and Protection;
- (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 Chancellor 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 Chancellor may reduce or remit the fee in that case.

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 Parliament.

7.—(1) The fees prescribed by this Order shall be taken by adhesive or impressed stamps.

(2) The document to be stamped shall be the document indicated in Column 3 of the Schedule.

(3) 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.

(a) 1978 c. 23

(b) 1879 c. 58

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. The fees taken under this Order shall be applied as the Lord Chancellor, with the concurrence of the Treasury, may direct.

11. The Supreme Court Fees Order (Northern Ireland) 1979(c) is hereby revoked, save as to any fee due or payable before the commencement of this Order.

Dated the 25th July 1980.

Hailsham of St. Marylebone, C.

We concur

*Carol Mather
Peter Morrison*

Two of the Lords Commissioners
of Her Majesty's Treasury

Dated the 30th July 1980.

SCHEDULE

PART I

Fees payable in every Division of the High Court and Department of the Supreme Court and the Court Funds Office, unless otherwise provided.

<i>Column 1</i> <i>Item</i>	<i>Column 2</i> <i>Fee</i>	<i>Column 3</i> <i>Document to be stamped</i>
<i>Writs, etc.</i>	£	
1. On sealing a writ of summons	25.00	The filed copy
2. On sealing an originating notice of motion	25.00	The filed copy
3. On sealing an originating summons, except where fee 4 or fee 21 is payable	25.00	The filed copy
4. On sealing an originating summons for the payment out of court of a sum not exceeding £1,500	3.00	The filed copy
5. On sealing a writ of subpoena, per person	2.00	The praecipe
<i>Copies of Documents</i>		
6. For examining a plain copy, and marking the same as an office copy, per page	0.25	The requisition
7. For a typewritten copy of any document and marking the same as an office copy, per page	0.50	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, per page	0.25	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
11. (a) For a stencilled copy of a written judgment and marking the same as an office copy, per page	0.25	The requisition
(b) For any other stencilled copy and marking the same as an office copy, first copy per page	0.25	The requisition
for each subsequent copy per page	0.10	
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 And for each page after the first, a further additional fee of	0.50	The requisition
(c) For a sealed and certified copy of any document	1.00	The requisition
And for each page after the first, a further additional fee of	0.25	

<i>Column 1</i> <i>Item</i>	<i>Column 2</i> <i>Fee</i>	<i>Column 3</i> <i>Document to be stamped</i>
<i>Registration of Judgments</i>		
13. Under the Judgments Extension Act 1868(d):—	£	
(a) On a certificate of a judgment for registration in England or Scotland	3.00	The requisition
(b) On registration of a certificate issued by an English or Scottish Court	5.00	The certificate
<i>Searches and Inspections</i>		
14. On a search (including inspection), except in bankruptcy	0.50	The search docket
15. For an official certificate of the result of a search in any register or index, for the first name	1.00	The requisition
for every other name	0.50	
<i>Hearing</i>		
16. (a) On entering or setting down a cause or issue for trial or hearing (including county court appeal, case stated or other statutory appeal) and for filing the judgment or order	15.00	The setting down docket or copy notice or motion filed
(b) On setting down an action on motion for judgment and for filing the judgment or order	6.00	The setting down docket
(c) On sealing a notice of appeal from a master or registrar to a judge in chambers	5.00	The notice filed
<i>Default and Order 14 Judgments, Decrees and Orders</i>		
17. (a) For a final judgment following an inquiry, trial or assessment of damages before a master or under Order 14	15.00	The judgment
(b) For a final judgment in default of appearance or defence or	10.00	The judgment or requisition
18. On filing any final or interlocutory order in application for wardship	2.00	The requisition
<i>Accounts</i>		
19. For taking and certifying the result of any account of money received by any person liable to account therefor or due to any person, for every £100, or fraction thereof, of amount received or found due, but excluding the amount of any balance carried forward on a previous account in the cause, except in bankruptcy	0.25 (minimum fee 5.00 maximum fee 50.00)	The account or fee sheet
<i>Petitions</i>		
20. On presenting a petition except where fee 21, 23(a) or (b), or 42 is payable	25.00	The filed copy
21. On any application by way of petition or originating summons for wardship or adoption	15.00	The filed copy

<i>Column 1</i> <i>Item</i>	<i>Column 2</i> <i>Fee</i>	<i>Column 3</i> <i>Document to be stamped</i>
	£	
<i>Enrolment</i>		
22. For enrolment of every deed or document other than letters patent or recognizances, for each page or part thereof	1.50	The filed copy
<i>Proceedings under Companies Act (N.I.) 1960(e)</i>		
23. (a) On presenting a petition for the winding-up of a company by or under the supervision of the court	15.00	The petition or filed copy
(b) On presenting any other petition	30.00	
24. On a certificate of a master, except where fee 19 is payable	5.00	The certificate or fee sheet
<i>Miscellaneous</i>		
25. On an affidavit taken before an officer of the Supreme Court; and, in addition thereto, for each exhibit therein referred to and required to be marked	2.00	The affidavit
	0.50	

PART II

Fees Payable in Admiralty Matters

<i>Column 1</i> <i>Item</i>	<i>Column 2</i> <i>Fee</i>	<i>Column 3</i> <i>Document to be stamped</i>
	£	
26. On a warrant of arrest	15.00	The notice or praecipe
27. On every instrument not otherwise specified prepared in the registry and issued under the seal of the court	8.00	The requisition
28. On filing a consent or agreement	3.00	The consent or agreement
29. On filing a caveat	3.00	The caveat
30. On filing and entrolling any recognizance or bond (save security for costs) including a bail bond and giving certificate	3.00	The recognizance or bond
31. On filing any vacate of a recognizance and giving certificate	3.00	The vacate
32. On a request for the attendance of assessors on the hearing of an Admiralty action or reference	3.00	The requisition

(e) 1960 c. 22 (N.I.)

<i>Column 1</i> <i>Item</i>	<i>Column 2</i> <i>Fee</i>	<i>Column 3</i> <i>Document to be stamped</i>
	£	
33. For drawing up and entering an order made on an agreement filed in court	3.00	The requisition
34. On entering a reference for hearing by the Master	15.00	The notice for hearing
35. On the appointment and swearing of appraisers	15.00	The certificate of appraisal
36. (a) On the sale of a ship or goods for every £100 or fraction of £100 of the price up to £100,000	1.00	Paid by transfer
(b) For every £100 or fraction of £100 of the price exceeding £100,000	0.50	
37. On retaining possession of a ship with or without cargo, or of a ship's cargo without a ship, per day	1.00	Paid by transfer

PART III

Fees Payable in Probate and Matrimonial Matters

<i>Column 1</i> <i>Item</i>	<i>Column 2</i> <i>Fee</i>	<i>Column 3</i> <i>Document to be stamped</i>
	£	
38. On settling and sealing a citation	3.00	The filed copy
39. (a) On filing a notice of application for ancillary relief	10.00	The notice
(b) For signing, settling or approving an advertisement	3.00	The requisition

PART IV

Fees Payable in Bankruptcy Matters

<i>Column 1</i> <i>Item</i>	<i>Column 2</i> <i>Fee</i>	<i>Column 3</i> <i>Document to be stamped</i>
	£	
40. On sealing a debtor's summons	5.00	The filed copy
41. On filing a declaration of insolvency	1.00	The declaration
42. On presenting a petition	10.00	The petition
43. On a notice of a sitting of the court or application to the court other than an application by the Official Assignee	3.00	The notice or summons
44. On a bond	1.00	The bond

<i>Column 1</i> <i>Item</i>	<i>Column 2</i> <i>Fee</i>	<i>Column 3</i> <i>Document to be stamped</i>
	£	
45. On the audit of the account of the Official Assignee or examination of the account of a trustee— On the amount brought to credit— On the first £10,000 — for every £100 or fraction thereof On all further sums	2.50	The account
46. On a search (including inspection) other than by the petitioner, bankrupt, arranging debtor, trustee, Official Assignee or any other officer of the court	NIL 0.50	The search docket

PART V

Fees Payable in The Court of Appeal

<i>Column 1</i> <i>Item</i>	<i>Column 2</i> <i>Fee</i>	<i>Column 3</i> <i>Document to be stamped</i>
	£	
47. On entering any interlocutory appeal	10.00	The notice of appeal
48. On entering any other appeal or a case stated	20.00	The notice of appeal or requisition

PART VI

Fees Payable in the Office of the Principal Secretary to the Lord Chief Justice

<i>Column 1</i> <i>Item</i>	<i>Column 2</i> <i>Fee</i>	<i>Column 3</i> <i>Document to be stamped</i>
49. On presenting a memorial for appointment of a commissioner for oaths or notary public	5.00	The memorial
50. For every copy of an order	0.50	The copy order
51. For every office copy	Fee as in Part I	The copy
52. For every certificate	2.00	The certificate
53. For filing any document	0.50	The document
54. For sealing every exemplification of an order	4.00	The requisition
55. On a search for any record or document	0.50	The requisition

PART VII

Fees Payable in the Court Funds Office

<i>Column 1</i> <i>Item</i>	<i>Column 2</i> <i>Fee</i>	<i>Column 3</i> <i>Document to be stamped</i>
56. On every certificate of funds	£ 0.50	The requisition
57. On every transcript of account, per entry	0.05	The requisition
58. On every direction to pay exceeding £20 excepting any dividend, annuity or other periodical payment; For each £100 or part thereof	0.10 (maximum 20.00)	The direction to pay
59. On every privity for lodgment	0.50	The privity

PART VIII

Fees Payable in the Taxing Office

<i>Column 1</i> <i>Item</i>	<i>Column 2</i> <i>Fee</i>	<i>Column 3</i> <i>Document to be stamped</i>
60. On an application for orders for taxation under the Solicitors (Ireland) Act 1849(f) or the Solicitors (Northern Ireland) Order 1976(g)	£ 10.00	The application
61. On the taxation of a bill of costs: where the amount allowed does not exceed £5.00: Where the amount allowed exceeds £5 but does not exceed £100, for every £1 or fraction of £1: Where the amount allowed exceeds £100— (i) for the first £100 (ii) for every £2 or fraction thereof over £100	0.50 0.07 7.00 0.07	The bill The bill
62. On withdrawal of a bill of costs which has been lodged for taxation	Such fee (not exceeding the amount which would have been payable under fee 61 if the bill had been allowed in full) as shall appear to the Master to be fair and reasonable	The bill

<i>Column 1</i> <i>Item</i>	<i>Column 2</i> <i>Fee</i>	<i>Column 3</i> <i>Document to be stamped</i>
Provided that the Master may in any case require the bill of costs to be stamped before taxation with the whole or part of the amount of fees which would be payable if the bill were allowed by him at the full amount thereof (including in cases under the Solicitors (Ireland) Act 1849 and the Solicitors (Northern Ireland) Order 1976, the fee payable in respect of the cash account).	£	
63. On Solicitors' cash accounts under the Solicitors (Ireland) Act 1849 or the Solicitors (Northern Ireland) Order 1976 For every £100 or fraction of the amounts found to have been received and paid	0.07	The account
64. On measuring liquidator's remuneration or accountant's fees — for every £100 of the measured remuneration or fraction thereof	1.00	The requisition

EXPLANATORY NOTE

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

This Order replaces the Supreme Court Fees Order (Northern Ireland) 1979. It increases the fees taken in the Offices of the Supreme Court and, in particular, increases the fee payable on a writ of summons, originating summons and petition from £15 to £25.