

1990 No. 234

COUNTY COURTS

County Court (Amendment) Rules
(Northern Ireland) 1990

Made 13th June 1990

Coming into operation 1st July 1990

We, the County Court Rules Committee, appointed by the Lord Chancellor under Article 46 of the County Courts (Northern Ireland) Order 1980(a), in exercise of the powers conferred on us by Article 47 of that Order and all other powers enabling us in that behalf, hereby make the following rules:—

Citation and interpretation

1.—(1) These Rules may be cited as the County Court (Amendment) Rules (Northern Ireland) 1990.

(2) In these Rules a reference to an Order, Rule or Appendix is a reference to that Order, Rule or Appendix as numbered in the County Court Rules (Northern Ireland) 1981(b).

Licensing (Northern Ireland) Order 1990

2.—(1) For Parts I–IV of Order 48 there shall be substituted the new Parts I–IV set out in Schedule 1.

(2) For Forms 194–211 in Appendix 1 there shall be substituted the new Forms 194–211 set out in Schedule 2.

(3) Nothing in this rule shall affect any application in respect of which notice has been given before the coming into operation of these Rules.

Costs

3.—(1) Order 19 shall be amended at Rule 5 by deleting the figure “£19·38” and substituting the figure “£20·83”.

(2) Order 24 shall be amended, at paragraph 7(a) of Rule 9, by deleting the figure “£7·59”, and substituting the figure “£8·16” and by deleting the figure “£10·72” and substituting the figure “£11·52”.

(3) Order 33 shall be amended, at paragraph (6) of Rule 10, by deleting the figure “£4·41” and substituting the figure “£4·74”.

(4) Order 55 shall be amended as follows:

(a) S.I. 1980/397 (N.I. 3)

(b) S.R. 1981 No. 225; to which the most recent relevant amendments were made by S.R. 1988 No. 234, S.R. 1989 No. 211 and S.R. 1989 No. 480

- (a) by deleting, at paragraph (1) of Rule 2, the words "1st July 1989" and substituting the words "1st July 1990";
 - (b) by deleting, in Rule 13, the figure "67p" and substituting the figure "72p";
 - (c) by deleting, in Rule 17, the figure "£1.56" and substituting the figure "£1.68".
- (5) For Appendix 2 there shall be substituted the new Appendix set out in Schedule 3.

We, the undersigned members of the County Court Rules Committee, having by virtue of the powers vested in us in this behalf made the foregoing rules, do hereby certify the same under our hand and submit them to the Lord Chancellor accordingly.

John K. Pringle
John Curran
T. F. B. Russell
Raymond T. Kerr
Barry Valentine
K. G. Nixon
Brian F. Walker
S. D. Massey

Dated 30th May 1990.

After consultation with the Lord Chief Justice, I allow these rules which shall come into operation on 1st July 1990.

Dated 13th June 1990

Mackay of Clashfern, C.

Rules to be inserted as Parts I–IV of Order 48

PART I

GENERAL

Interpretation

1.—(1) In Parts II–IV of this Order, unless the context otherwise requires—

“the Licensing Order” means the Licensing (Northern Ireland) Order 1990(a); a reference to an Article is a reference to that Article as numbered in that Order; and expressions which are defined in that Order have the same meaning as in that Order;

“the chief clerk” means the chief clerk for the county court division in which the application is being made.

(2) In Part V of this Order, unless the context otherwise requires—

Notwithstanding Rule 1 of Order 58, “the Order” means the Registration of Clubs (Northern Ireland) Order 1987(b); a reference to an Article is a reference to an Article as numbered in that Order; and expressions which are defined in that Order have the same meaning as in that Order;

“the chief clerk” means the chief clerk for the county court division in which the application is being made.

(3) The notes appended to the forms do not form any part thereof and are so appended only for the purpose of assisting their proper completion.

PART II

APPLICATIONS FOR THE GRANT OF LICENCES

Notices of application

2.—(1) Notice of application in accordance with Articles 7 or 10 of and Schedule 1 to the Licensing Order for the grant or, as the case may be, for the provisional grant of a licence shall be in one of Forms 194 to 201 as may be appropriate; so, however, that the notice required by paragraph 1(a) of that Schedule to be inserted in the newspapers referred to in that paragraph and the notice required by paragraph (1)(b) of that Schedule to be displayed for the time and in the manner specified by that paragraph, may omit to specify the address of the applicant for the licence where the notice gives the address of the solicitor for the applicant.

(2) A person intending to make an application for the grant or declaration of the final grant of a licence, in addition to complying with paragraph 1 of Schedule 1 to the Licensing Order, shall, not less than three weeks before the time of the opening of the court sitting at which the application is to be heard, serve a copy of the notice upon the clerk of petty sessions for the petty sessions district in which the premises are situated.

(3) Where it is intended to apply to the court which grants a licence or declares a licence provisionally granted to be final for an order under—

(a) Article 34 specifying any part of the premises as suitable for functions such as are mentioned in Article 54(6) (functions for which extension licences may be granted); or

(a) S.I. 1990/594 (N.I. 6)
(b) S.I. 1987/1278 (N.I. 14)

(b) Article 49 directing that the permitted hours for part of such premises of a kind mentioned in Article 6(1)(a) for which the court imposes a condition under Article 49(2) shall be the hours mentioned in Article 47(2), such intention shall be stated in the notice of application for the grant or in the notice of application for the provisional grant, as the case may be; and the plan attached to the notice in accordance with paragraph 3 of Schedule 1 to the Licensing Order shall particularly delineate or distinguish the part of the premises for which the order is sought.

(4) Where notice is given of an application for the grant or provisional grant of a licence for premises on a site approved by declaration under Article 11 the notice shall refer to the fact that the premises are of a kind approved for that site by the declaration.

(5) A notice of application for a declaration that the grant of a licence is final in accordance with Article 10(7) shall be in Form 202 and the applicant shall attach the licence to the notice for the purpose of Article 10(10).

(6) A person intending to apply for the consent of the court under Article 10(6) to the modification of plans at any time before a licence provisionally granted has been declared final shall:

(a) not less than three weeks before the time of the opening of the court sittings at which the application is to be heard, serve notice in Form 203 on the chief clerk and serve copies of that notice on the sub-divisional commander of the police sub-division in which the premises are or are to be situated and on the district council for the district in which the premises are or to be situated;

(b) attach to such notice and copy notices copies of the modified plans complying with Rule 6 and clearly showing the proposed modifications.

(7) A notice of intention to object in accordance with paragraphs 4 and 6 or 11 and 12 of Schedule 1 to the Licensing Order to the grant, provisional grant or grant of the licence being declared final, as the case may be, shall be in Form 204.

(8) A notice published in the newspapers are required by paragraph 1(a) of Schedule 1 to the Licensing Order and a notice displayed at the premises as required by paragraph 1(b) of that Schedule shall:

(a) include a reference to the requirement that any person owning or residing or carrying on business in premises in the vicinity of the premises for which the licence is sought who intends to object to the grant of the licence must, in accordance with paragraph 6 of Schedule 1 to the Licensing Order, serve notice of his intention to object upon the applicant and the chief clerk, not less than one week before the time of the opening of the court sitting specified in the notice so published;

(b) state that the permissible grounds of objection are such as are specified in paragraph 4 of that Schedule, namely, unfitness of applicant, unsuitability of premises and, where the premises are of a kind mentioned in Article 6(1)(a) or (b) only and Article 8(3) or paragraph 6 of Schedule 3 does not apply, that the number of licensed premises of that kind in the vicinity is or will be adequate;

(c) where appropriate, state that a subsisting licence is to be surrendered to the court and give particulars thereof.

(9) A notice of intention to object, under paragraph 5 of Schedule 1 to the Licensing Order, to the surrender of a subsisting licence shall be in Form 205.

Documents to be produced at hearing of application

3.—(1) Where the application is for the grant or declaration of the final grant of a licence for an hotel, evidence that the premises comply with Article 2(2) as being registered in the register of hotels maintained by the Northern Ireland Tourist Board under section 10 of the Development of Tourist Traffic Act (Northern Ireland)

1948(a) shall be given at the hearing of the application by production of a certificate to that effect purporting to be authenticated in the manner provided by section 2 of that Act.

(2) Where the application is for the grant or declaration of the final grant of a licence for a restaurant, the certificate from the said Board referred to in the said Article 2(2) (as to registration and compliance by the premises with certain requirements) and purporting to be so authenticated shall be produced at the hearing of the application.

(3) Where application is made for an order under Article 34, the certificate from the Northern Ireland Tourist Board stating that the premises are registered in the register of restaurants maintained by the Board under section 10 of the Development of Tourist Traffic Act (Northern Ireland) 1948 shall be produced at the hearing of the application.

(4) Where the application is made for a licence under the Licensing Order for any place of entertainment, any licence required by a council under Schedule 1 to the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985(b) shall be produced at the hearing of the application.

PART III

APPLICATIONS FOR DECLARATIONS OF APPROVED SITES UNDER ARTICLE 11 OF THE LICENSING ORDER

4.—(1) Notice of application in accordance with paragraph 3 of Schedule 3 to the Licensing Order for a declaration under Article 11 of the Licensing Order shall be in Form 206.

(2) Notice of intention to object in accordance with the said paragraph 3 shall be in Form 207.

(3) Such a declaration shall be in Form 208.

PART IV

MISCELLANEOUS

Application under Article 36(1)(i)

5.—(1) Notice of application in accordance with paragraph 2 of Schedule 8 to the Licensing Order for an order under Article 36(1)(i) for the consent of the court to such alterations as are referred to in Article 36(1)(a) to (d) shall be in Form 209.

(2) Notice of intention to object under paragraph 5 of Schedule 8 to the Licensing Order shall be in Form 210.

(3) An order consenting to such alterations shall be in Form 211.

Requirements for plans to be attached to notice of application

6.—(1) The plan required by paragraph 3(2) of Schedule 1 to the Licensing Order to be attached to a notice of application for the grant of a licence shall be to scale on substantial paper or material and shall show each floor of the premises on a separate page measuring, where practicable, approximately eighteen inches by eighteen inches and certified by an architect, surveyor or any other person considered by the court to be competent to do so.

(a) 1948 c. 4 (N.I.)

(b) S.I. 1985/1208 (N.I. 15)

(2) The plan shall show the parts of the premises in which intoxicating liquor is sold, or in which it is intended that intoxicating liquor should be sold, by clearly distinguishing in bold hatched or shaded colour between that and other parts of the premises.

(3) Where the application relates to an hotel, each of the following parts shall be clearly distinguished (by shading in separately each part in a different colour from the others) namely, the part—

- (a) in which customers who are not residents or the guests of residents may be served with intoxicating liquor;
- (b) in which only residents may be so served;
- (c) set apart for the service of main table meals only to residents and their guests;
- (d) set apart for the service of main table meals whether to the public or to residents or their guests;
- (e) set apart for the service of intoxicating liquor and other beverages to diners before or after such meals.

Copies of notices for sub-divisional commander to be lodged at police station within police sub-division

7.—(1) Any notice, document or copy thereof required by the Licensing Order or this Order to be served upon the sub-divisional commander of a police sub-division shall be served, unless the sub-divisional commander otherwise directs, by being lodged with the member of the Royal Ulster Constabulary for the time being in charge of a police station within the police sub-division in which the premises to which the document relates are or are to be situated; or, as the case may be, in which the applicant resides.

(2) Notwithstanding anything in Article 2(9), where the applicant is a body corporate, paragraph (1) shall have effect as if for the reference to the police sub-division in which the applicant resides there were substituted a reference to that in which the body has its principal or registered office.

Forms to be inserted in Appendix 1

FORM 194

Licensing (Northern Ireland) Order 1990*(Articles 6(1)(a), 7, 10 and Schedule 1)*

Notice of application for [provisional] grant of licence for premises in which only or principal business is selling intoxicating liquor by retail for consumption either in or off the premises

IN THE COUNTY COURT/RECORDER'S COURT

FOR THE DIVISION OF

TAKE NOTICE that I/we *(full name(s) of applicant(s))* [1] of *(full address(es) of applicant(s))* [1] intend to apply to the County Court/Recorder's Court sitting at *(specify courthouse, place of sitting etc.)* for the above Division commencing at o'clock in the noon on the day of 19 for the [provisional] grant of a licence for the premises [to be] situated at *(full address of premises for which licence sought)*, being such premises as are specified in Article 6(1)(a) of the Licensing (Northern Ireland) Order 1990; namely, premises in which it is intended to carry on only or principally the business of selling intoxicating liquor for consumption either in or off the premises.

AND TAKE NOTICE that this application will be dealt with by the court on the day of 19 commencing at o'clock.

I/we will be the owner of such business. [1]
The owner of the premises is *(full name)*.

In accordance with Schedule 1 to the said Order and Rule 6 of Order 48 of the County Court Rules (Northern Ireland) 1981, I/we attach to this notice a plan of the premises delineating—

- (a) the part or parts thereof in which intoxicating liquor is to be sold; and
- (b) the extent of the premises which are or are to be extended, used or demolished. [2]

There is in force planning permission to use the premises as premises of the kind specified in this notice for the period during which the licence would be in force and a copy of the planning permission is attached; or [3]

The premises may be used as premises of the kind specified in this notice for the period during which the licence would be in force without planning permission. [3]

[FURTHER TAKE NOTICE that I/we intend to apply under Article 34 of the said Order for an order of the above-named court specifying the part of the premises particularly delineated on the said plan as being suitable for functions such as are referred to in Article 54(6) of the said Order namely those—

- (a) organised by any body established for social, charitable or benevolent purposes or for furthering the common interest of persons associated with any trade, profession, educational or cultural activity or any game or sport; or

- (b) (not exceeding six in number in any year) organised by the licence holder, on the grounds that—
- (i) the part so delineated is structurally adapted and used or intended to be used for the purpose of providing for the accommodation of persons frequenting it substantial refreshment to which the sale of intoxicating liquor is ancillary; and
 - (ii) suitable means of access to that part of the premises otherwise than through any other part of the premises which is used for the sale of intoxicating liquor, are available for customers.] [4]

[FURTHER TAKE NOTICE that I/we intend to apply under Article 49 of the said Order for an order of the above-named court directing that the permitted hours for the part of the premises distinguished on the said plan as being—

- (a) structurally adapted for the sale of intoxicating liquor for consumption off the premises; and
- (b) not connected by any internal means of passage open to customers with the part of the premises used for the sale of intoxicating liquor for consumption in the premises,

shall be the hours mentioned in Article 47(2) of the said Order subject to a condition to be inserted in the licence granted for the premises that the last-mentioned part thereof shall not be used for the sale of intoxicating liquor for consumption therein.] [5]

[FURTHER TAKE NOTICE that I/we intend to apply under Article 8(7) of the said Order for a direction that on Sundays there shall be no permitted hours on the premises.] [6]

A subsisting licence as defined in Schedule 2 to the said Order for premises such as are specified in Article 6(1)[(a)] [(b)], situated at (address) will be surrendered to the court. [7]

Dated this day of 19 .

Signature of applicant(s) or
his/their Solicitor

To: The Chief Clerk at (address
of courthouse)

Copy to:—

- (i) the clerk of petty sessions for the petty sessions district of
at (being the petty sessions district in which the premises
are [to be] situated);
- (ii) the sub-divisional commander at (sub-divisional
headquarters for the police sub-division in which the premises are [to
be] situated);
- (iii) (if different from (ii)) the sub-divisional commander at
(sub-divisional headquarters for the police sub-division in which the
applicant resides) [8];
- (iv) the district council at (district council for the
district in which the premises are [to be] situated);
- (v) the Northern Ireland Tourist Board [9].

Notes:

[¹] Where a housing authority is applying for the provisional grant of a licence the name of the authority and its official address are to be given and the words referring to ownership of the business, surrender of a licence or applicant's residence must be omitted. Where the application is for the grant of the licence to a body corporate, its full title and the names and addresses of the directors, secretary and any other persons who have executive control of it should be stated for the purposes of Article 5(4) of the Order.

[²] Paragraph (*b*) should only be included where the subsisting licence, if any, proposed to be surrendered under Article 8(2)(c)(iii) is for premises which are or are to be extended, used or demolished as mentioned in paragraph 2(*a*), (iv) to (vi) of Schedule 2.

[³] Delete if applicable.

[⁴] This paragraph is to be added only where applicant is applying for an order specifying the suitability of the premises for the possible grant of extension licences under Article 54 of the Order.

[⁵] This paragraph is to be added only where the applicant is also applying for an order that a specified part of the premises is to be licensed for the sale of liquor for consumption off the premises during the alternative permitted hours.

[⁶] This paragraph is to be added only where the applicant is applying for a declaration under Article 8(7) of the Order.

[⁷] This paragraph should be omitted where Article 8(4) of the Order applies.

[⁸] Delete if application is made by a housing authority for a provisional grant of a licence.

[⁹] Delete if application is not for a provisional grant of a licence.

Licensing (Northern Ireland) Order 1990
(Articles 6(1)(b), 7, 10 and Schedule 1)

Notice of application for [provisional] grant of licence for premises in which only or principal business is selling intoxicating liquor by retail for consumption off the premises

IN THE COUNTY COURT/RECORDER'S COURT

FOR THE DIVISION OF

TAKE NOTICE that I/we *(full name(s) of applicant(s))* [1] of *(full address(es) of applicant(s))* [1] intend to apply to the County Court/Recorder's Court sitting at *(specify courthouse, place of sitting etc.)* for the above Division commencing at o'clock in the noon on the day of 19 for the [provisional] grant of a licence for the premises [to be] situated at *(full address of premises for which licence sought)*, being such premises as are specified in Article 6(1)(b) of the Licensing (Northern Ireland) Order 1990; namely premises in which I/we intend to carry on only or principally the business of selling intoxicating liquor for consumption off the premises.

AND TAKE NOTICE that this application will be dealt with by the court on the day of 19 commencing at o'clock.

I/we will be the owner of such business. [1]

The owner of the premises is *(full name)*.

In accordance with Schedule 1 to the said Order and Rule 6 of Order 48 of the County Court Rules (Northern Ireland) 1981, I/we attach to this notice a plan of the premises delineating;

- (a) the part or parts thereof in which intoxicating liquor is to be sold, and
- (b) the extent of the premises which are to be extended, used or demolished. [2].

There is in force planning permission to use the premises as premises of the kind specified in this notice for the period during which the licence would be in force and a copy of the planning permission is attached; [3] or

The premises may be used as premises of the kind specified in this notice for the period during which the licence would be in force without planning permission. [3]

A subsisting licence as defined in Schedule 2 to the said Order for premises such as are specified in Article 6(1)(a) [(b)] situated at *(address)* will be surrendered to the Court. [4]

Dated this day of 19 .

Signature of Applicant(s)
or his/their Solicitor

To: The Chief Clerk at *(address of courthouse)*.

Copy to:—

- (i) the clerk of petty sessions for the petty sessions district of
at (being the petty sessions district in which the premises
are [to be] situated);
- (ii) the sub-divisional commander at (sub-
divisional headquarters for the police sub-division in which the premises
are [to be] situated);
- (iii) (if different from (ii)) the sub-divisional commander at
(sub-divisional headquarters for the police sub-division in which the
applicant resides) [5];
- (iv) the district council at
(district council for the district in which the premises are [to be]
situated).

Notes:

[1] Where a housing authority is applying for the provisional grant of a licence the name of the authority and its official address are to be given and the words referring to ownership of the business, surrender of a licence or applicant's residence must be omitted. Where the application is for the grant of the licence to a body corporate, its full title and the names and addresses of the directors, secretary and of any other persons who have executive control of it should be stated for the purpose of Article 5(4) of the Order.

[2] Paragraph (b) should only be included where the subsisting licence, if any, proposed to be surrendered under Article 8(2)(c)(ii) is for premises which are or are to be extended used or demolished as mentioned in paragraph 2(a)(iv) to (vi) of Schedule 2.

[3] Delete if inapplicable.

[4] This paragraph should be omitted where Article 8(4) of the Order applies.

[5] Delete if application is made by a housing authority for a provisional grant of a licence.

Licensing (Northern Ireland) Order 1990
(Articles 2, 6(1)(c), 7, 10 and Schedule 1)

Notice of application for [provisional] grant of licence authorising the sale of
intoxicating liquor by retail in an hotel

IN THE COUNTY COURT/RECORDER'S COURT

FOR THE DIVISION OF

TAKE NOTICE that I/we (full
name(s) of applicant(s)) [1] of
(full address(es) of applicant(s)) [1] intend to apply to the County Court/Recorder's
Court sitting at (specify courthouse, place of sitting etc.) for the above
Division commencing at o'clock in the noon on the day of
19 for the [provisional] grant of a licence for the premises [to be] situated at
(full address of premises for which licence sought), being hotel
premises such as are specified in Article 2 of the Licensing (Northern Ireland) Order
1990 namely premises which are [or it is intended should be] registered in the register
of hotels maintained by the Northern Ireland Tourist Board under section 10 of the
Development of Tourist Traffic Act (Northern Ireland) 1948.

AND TAKE NOTICE that this application will be dealt with by the court on the
day of 19 commencing at o'clock.

I/we will be the owner(s) of the business carried on under the licence. [1]

The owner of the premises is (full name)
and a plan of the premises separately delineating each part or parts of the premises as
specified in Rule 6 of Order 48 of the County Court Rules (Northern Ireland) 1981 is
attached to this notice in accordance with Schedule 1 to the said Order.

There is in force planning permission to use the premises as premises of the kind
specified in this notice for the period during which the licence would be in force and a
copy of the planning permission is attached; [2] or

The premises may be used as premises of the kind specified in this notice for the
period during which the licence would be in force without planning permission. [2]

[FURTHER TAKE NOTICE that I/we intend to apply under Article 34 of the said
Order for an order of the above-named court specifying the part of the premises
particularly delineated on the said plan as being suitable for functions such as are
referred to in Article 54(6) of the Order, namely those—

- (a) organised by any body established for social, charitable or benevolent
purposes or for furthering the common interest of persons associated with any
trade, profession, educational or cultural activity or any game or sport; or
- (b) (not exceeding six in number in any year) organised by the licence holder, on
the grounds that—
 - (i) the part so delineated is structurally adapted and used or intended to be
used for the purpose of providing for the accommodation of persons
frequenting it substantial refreshment to which the sale of intoxicating
liquor is ancillary; and

Licensing (Northern Ireland) Order 1990*(Articles 2, 6(1)(d), 7, 10 and Schedule 1)*

Notice of application for [provisional] grant of licence authorising the sale of
intoxicating liquor by retail in a restaurant

IN THE COUNTY COURT/RECORDER'S COURT

FOR THE DIVISION OF

TAKE NOTICE that I/we *(full name(s))*
of applicant(s) [¹] of
(full address(es) of applicant(s)) [¹] intend to apply to the County Court/Recorder's
Court sitting at *(specify courthouse, place of sitting etc.)* for the above
Division commencing at o'clock in the noon on the day of
19 for the [provisional] grant of a licence for the premises [to be] situated at
(full address of premises for which licence sought) being restaurant
premises such as are specified in Article 2 of the Licensing (Northern Ireland) Order
1990 namely premises—

- (a) which are [to be] structurally adapted and used, or intended to be used, for the purpose of providing persons frequenting the premises with a customary main meal at mid-day or in the evening, or both; and
- (b) for which there is [or it is intended that there should be] in force a certificate from the Northern Ireland Tourist Board stating—
 - (i) that the restaurant for which the certificate is in force is registered in the register of restaurants maintained by the Board under section 10 of the Development of Tourist Traffic Act (Northern Ireland) 1948;
 - (ii) that in the opinion of the Board the restaurant—
 - (aa) is well equipped and well furnished and provides comfortable seating in the dining-room or rooms;
 - (bb) is operated by a competent management and staff; and
 - (cc) provides a high standard of catering; and
 - (iii) that the restaurant conforms to the requirements (if any) prescribed by regulations made by the Department of Health and Social Services with the concurrence of the Department of Economic Development.

AND TAKE NOTICE that this application will be dealt with by the court on the day of 19 commencing at o'clock.

The said certificate will be produced to the Court at the hearing of the application [for a declaration that the grant of the licence is final].

I/we will be the owner(s) of the business carried on under the licence. [¹]

The owner of the premises is *(full name)* and a plan of the premises delineating the part or parts thereof in which intoxicating liquor is to be sold is attached to this notice in accordance with Schedule 1 to the said Order and Rule 6 of Order 48 of the County Court Rules (Northern Ireland) 1981.

There is in force planning permission to use the premises as premises of the kind specified in this notice for the period during which the licence would be in force and a copy of the planning permission is attached; [²] or

The premises may be used as premises of the kind specified in this notice for the period during which the licence would be in force without planning permission. [2]

[FURTHER TAKE NOTICE that I/we intend to apply under Article 34 of the said Order for an order of the above-named court specifying the part of the premises particularly delineated on the said plan as being suitable for functions such as referred to in Article 54(6) of the said Order namely those—

- (a) organised by any body established for social, charitable or benevolent purposes or for furthering the common interest of persons associated with any trade, profession, educational or cultural activity or any game or sport; or
- (b) (not exceeding six in number in any year) organised by the licence holder, on the grounds that—
 - (i) the part so delineated is structurally adapted and used or intended to be used for the purpose of providing for the accommodation of persons frequenting it substantial refreshment to which the sale of intoxicating liquor is ancillary; and
 - (ii) suitable means of access to that part of the premises otherwise than through any other part of the premises which is used for the sale of intoxicating liquor, are available for customers.] [3].

Dated this day of 19 .

Signature of Applicant(s)
or his/their Solicitor

To: The Chief Clerk at
of courthouse).

(address

Copy to:—

- (i) the clerk of petty sessions for the petty sessions district of at
(being the petty sessions district in which the premises are [to be] situated);
- (ii) the sub-divisional commander at (sub-divisional headquarters for the police sub-division in which the premises are [to be] situated);
- (iii) (if different from (ii)) the sub-divisional commander at
(sub-divisional headquarters for the police sub-division in which the applicant resides) [4];
- (iv) the district council at
(district council for the district in which the premises are [to be] situated);
- (v) the Northern Ireland Tourist Board [5].

Notes:

[1] Where a housing authority is applying for the provisional grant of a licence the name of the authority and its official address are to be given and the words referring to ownership of the business and to the applicant's residence must be omitted. Where the application is for the grant of the licence to a body corporate its full title and the names and addresses of the directors, secretary and of any other persons who have executive control of it should be stated for the purposes of Article 5(4) of the Order.

[2] Delete if inapplicable.

[³] This paragraph is to be added only where the applicant is applying for an order specifying the suitability of the premises for the possible grant of extension licences under Article 54 of the Order.

[⁴] Delete if application is made by a housing authority for a provisional grant of a licence.

[⁵] Delete if application is not for a provisional grant of a licence.

Licensing (Northern Ireland) Order 1990
(Articles 2, 6(1)(e), 7, 10 and Schedule 1)

Notice of application for [provisional] grant of licence authorising the sale of
intoxicating liquor by retail in a place of public entertainment

IN THE COUNTY COURT/RECORDER'S COURT
FOR THE DIVISION OF

TAKE NOTICE that I/we (full name(s))
of applicant(s) [1] of
(full address(es) of applicant(s)) [1] intent to apply to the County Court/Recorder's
Court sitting at (specify courthouse, place of sitting etc.) for the above
Division commencing at o'clock in the noon on the day of
19 for the [provisional] grant of a licence for the premises [to be]
situated at (full address of premises for which licence sought), being a
place of public entertainment such as is specified in Article 2 of the Licensing
(Northern Ireland) Order 1990 namely premises:—

- (a) used as a theatre; [2] [3];
- (b) used as a ballroom; [2] [3];
- (c) on a licensed track within the meaning of the Betting, Gaming, Lotteries and
Amusements (Northern Ireland) Order 1985; [2] [3]; or
- (d) [name such other premises used for the purposes
of such entertainments, in accordance with such conditions as are for the time
being prescribed by regulations made by the Department of Health and Social
Services under Article 2 of the Order] [2] [3]

AND TAKE NOTICE that this application will be dealt with by the court on the
day of 19 commencing at o'clock.

I/we will be the owner(s) of the business carried on under the licence. [1]

The owner of the premises is
(full name) and a plan of the premises delineating the part or parts thereof in which
intoxicating liquor is to be sold is attached to this notice in accordance with Schedule
1 of the said Order and Rule 6 of Order 48 of the County Court Rules (Northern
Ireland) 1981.

There is in force planning permission to use the premises as premises of the kind
specified in this notice for the period during which the licence would be in force and a
copy of the planning permission is attached; [4] or

The premises may be used as premises of the kind specified in this notice for the
period during which the licence would be in force without planning permission. [4]

Dated this day of 19 .

Signature of Applicant(s)
or his/their Solicitor

To: The Chief Clerk at
courthouse).

(address of

Copy to:—

- (i) the clerk of petty sessions for the petty sessions district of _____ at _____
(being the petty sessions district in which the premises are [to be] situated);
- (ii) the sub-divisional commander at _____ (sub-divisional headquarters for the police sub-division in which the premises are [to be] situated);
- (iii) (if different from (ii)) the sub-divisional commander at _____ (sub-divisional headquarters for the police sub-division in which the applicant resides) [5];
- (iv) the district council at _____ (district council for the district in which the premises are [to be] situated).

Notes:

[1] Where a housing authority is applying for the provisional grant of a licence the name of the authority and its official address are to be given and the words referring to ownership of the business, surrender of a licence or applicant's residence must be omitted. Where the application is for the grant of the licence to a body corporate its full title and the names and addresses of the directors, secretary and of any other persons who have executive control of it should be stated for the purposes of Article 5(4) of the Order.

[2] Delete as applicable.

[3] Where premises are kept or used for public entertainment any licence required by a council under Schedule 1 to the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 must be produced at the hearing of the application for the grant or, as the case may be, for a declaration that the grant of the licence is final.

[4] Delete if inapplicable.

[5] Delete if application is made by a housing authority for a provisional grant of a licence.

FORM 199

Licensing (Northern Ireland) Order 1990*(Articles 2, 6(1)(f), 7, 10 and Schedule 1)*

Notice of application for [provisional] grant of licence authorising the sale of intoxicating liquor by retail in a refreshment room in public transport premises

IN THE COUNTY COURT/RECORDER'S COURT

FOR THE DIVISION OF

TAKE NOTICE that I/we *(full*
name(s) of applicant(s)) [¹] of
(full address(es) of applicant(s)) [¹] intend to apply to the County Court/Recorder's
 Court sitting at *(specify courthouse, place of sitting etc.)* for the above
 Division commencing at o'clock in the noon on the day of
 19 for the [provisional] grant of a licence for the premises [to be] situated at
(full address of premises for which licence sought), being a
 refreshment room in public transport premises; namely, at a railway station [or
 airport] [or harbour terminal] [or bus station] as defined by Article 2 of the Licensing
 (Northern Ireland) Order 1990.

AND TAKE NOTICE that this application will be dealt with by the court on the
 day of 19 commencing at o'clock.

I/we will be the owner(s) of the business carried on under the licence. [¹].

The owner of the premises is
(full name) and a plan of the premises delineating the part or parts thereof in which
 intoxicating liquor is to be sold is attached to this notice in accordance with Schedule
 1* to the said Order and Rule 6 of Order 48 of the County Court Rules (Northern
 Ireland) 1981.

There is in force planning permission to use the premises as premises of the kind
 specified in this notice for the period during which the licence would be in force and a
 copy of the planning permission is attached; [²] or

The premises may be used as premises of the kind specified in this notice for the
 period during which the licence would be in force without planning permission. [²]

Dated this day of 19 .

Signature of Applicant(s)
 or his/their Solicitor

To: The Chief Clerk at
courthouse).

(address of

Copy to:—

- (i) the clerk of petty sessions for the petty sessions district of at
(being the petty sessions district in which the premises are
[to be] situated);
- (ii) the sub-divisional commander at *(sub-*
divisional headquarters for the police sub-division in which the premises
are [to be] situated);

- (iii) (if different from (ii)) the sub-divisional commander at
(*sub-divisional headquarters for the police sub-division in which the applicant resides*) [³];
- (iv) the district council at
(*district council for the district in which the premises are [to be] situated*).

Notes:

[¹] Where a housing authority is applying for the provisional grant of a licence the name of the authority and its official address are to be given and the words referring to ownership of the business and to the applicant's residence must be omitted. Where the application is for the grant of the licence to a body corporate its full title and the names and addresses of the directors, secretary and of any other persons who have executive control of it should be stated for the purposes of Articles 5(4) of the Order.

[²] Delete if inapplicable.

[³] Delete if application is made by a housing authority for a provisional grant of a licence.

Licensing (Northern Ireland) Order 1990
(Articles 2, 6(1)(g), 7, 10, 82 and Schedule 1)

Notice of application for [provisional] grant of licence authorising the sale of
intoxicating liquor by retail in a seamen's canteen

IN THE COUNTY COURT/RECORDER'S COURT
FOR THE DIVISION OF

TAKE NOTICE that the applicant body (name of
body providing the seamen's canteen) of
(address) intend to apply to the County Court/Recorder's Court sitting at
(specify courthouse, place of sitting, etc.) for the above Division
commencing at o'clock in the noon on the day of 19
for the [provisional] grant of a licence for the premises situated at (full
address of premises for which licence sought) namely, premises such as are specified
in Article 2 of the Licensing (Northern Ireland) Order 1990 provided by the applicant,
being a body approved by the Secretary of State. The premises—

- (a) are [to be] structurally adapted and used, or intended to be used, for the purpose of providing persons frequenting the premises with food and/or drink whether or not the food or drink is separately paid for; and
- (b) are [to be] situated in a place for which there is in force a certificate granted by the Secretary of State after consultation with the Merchant Navy Welfare Board stating there is need for a seamen's canteen.

AND TAKE NOTICE that this application will be dealt with by the court on the
day of 19 commencing at o'clock.

The said certificate will be produced at the hearing of the application.

As required by Article 82 of the said Order a copy of the draft rules prepared by the applicant as to the persons entitled to use the canteen is attached to this notice.

The applicant body will be the owner of the business carried on under the licence.

The owner of the premises is
(full name) and a plan of the premises delineating the part or parts thereof in which
intoxicating liquor is to be sold is attached to this notice in accordance with Schedule
1 to the said Order and Rule 6 of Order 48 of the County Court Rules (Northern
Ireland) 1981.

There is in force planning permission to use the premises as premises of the kind
specified in this notice for the period during which the licence would be in force and a
copy of the planning permission is attached; [1] or

The premises may be used as premises of the kind specified in this notice for the
period during which the licence would be in force without planning permission. [1]

To: The Chief Clerk at (address of
courthouse).

Copy to:—

- (i) the clerk of petty sessions for the petty sessions district of
at (being the petty sessions district in which the premises
are [to be] situated);

- (ii) the sub-divisional commander at *(sub-divisional headquarters for the police sub-division in which the premises are [to be] situated)*;
- (iii) (if different from (ii)) the sub-divisional commander at *(sub-divisional headquarters for the police sub-division in which the applicant resides)* [²];
- (iv) the district council at *(district council for the district in which the premises are [to be] situated)*.

Notes:

[¹] Delete if inapplicable.

[²] Delete if application is made by a housing authority for a provisional grant of a licence.

Licensing (Northern Ireland) Order 1990
(Articles 7, 85 and Schedule 1)

Notice of application for grant of licence for non-seagoing vessel

IN THE COUNTY COURT/RECORDER'S COURT

FOR THE DIVISION OF

TAKE NOTICE that I/we *(full name(s))*
of applicant(s) of *(full*
address(es) of applicant(s) intend to apply to the County Court/Recorder's Court
 sitting at *(full*
(specify courthouse, place of sitting, etc.) for the above Division
 commencing at o'clock in the noon on the day of 19
 for the [provisional] grant of a licence for the vessel being a vessel other
 than a seagoing vessel plying from *(place from which vessel plies).*

AND TAKE NOTICE that this application will be dealt with by the court on the
 day of 19 commencing at o'clock.

I/we will be the owner of the business of selling intoxicating liquor for
 consumption in the vessel under such licence.

The owner of the vessel is
(full name) and a plan of the vessel delineating the part or parts thereof in which
 intoxicating liquor is to be sold is attached to this notice.

Dated this day of 19 .

Signature of Applicant(s)
 or his/their Solicitor

To: The Chief Clerk at *(address*
of courthouse).

Copy to:

- (i) the clerk of petty sessions for the petty sessions district of at
*(being the petty sessions district in which the place from
 which the vessel plies is situated);*
- (ii) the sub-divisional commander at
*(sub-divisional headquarters for the police sub-division in which the
 place from which the vessel plies is situated);*
- (iii) (if different from (ii)) the sub-divisional commander at
*(sub-divisional headquarters for the police sub-division in which the
 applicant resides);*
- (iv) the district council at
*(district council for the district in which the place from which the vessel
 plies is situated).*

Licensing (Northern Ireland) Order 1990*(Article 10(7) and Schedule 1)*

Notice of application for declaration of final grant of licence where grant has
been provisional

IN THE COUNTY COURT/RECORDER'S COURT

FOR THE DIVISION OF

TAKE NOTICE that I/we *(full name(s) of*
applicant(s)) of *(full*
address(es) of applicant(s)) intend to apply to the County Court/Recorder's Court
sitting at *(specify courthouse, place of sitting, etc.)* for the above
Division commencing at o'clock in the noon on the day of
19 for a declaration that the grant of a licence for the premises situated at
(full address of premises) granted provisionally by the above-named
court on the day of 19 be declared final.

AND TAKE NOTICE that this application will be dealt with by the court on the
day of 19 commencing at o'clock.

The licence was granted provisionally to the housing authority and I/we have been
nominated as the applicant(s). [1]

I/we will be the owner of the business.

The owner of the premises is
(full name) and the premises have been completed in accordance with the plans
deposited in court upon the application for the provisional grant of the licence [as
modified with the consent of the court given on the day of 19
under Article 10(6) of the said Order [2]].

Dated this day of 19 .

Signature of Applicant(s)
or his/their Solicitor

To: The Chief Clerk at
courthouse).

(address of

Copy to:—

- (i) the sub-divisional commander at
*(sub-divisional headquarters for the police sub-division in which the
premises for which the licence was provisionally granted are situated);*
- (ii) (if different from (i)) the sub-divisional commander at
*(sub-divisional headquarters for the police sub-division in which the
applicant resides);*
- (iii) the district council at
*(district council for the district in which the premises for which the
licence was provisionally granted are situated).*

Notes:

[1] Delete except where provisional grant of a licence was to a housing authority.

[2] Delete if inapplicable.

Licensing (Northern Ireland) Order 1990
(Article 10(6))

Notice of application for consent to modification of plans of premises for
which licence provisionally granted

IN THE COUNTY COURT/RECORDER'S COURT

FOR THE DIVISION OF

TAKE NOTICE that I/we *(full name(s) of applicant(s))* of *(full address(es) of applicant(s))* intend to apply to the County Court/Recorder's Court sitting at *(specify courthouse, place of sitting, etc.)* for the above Division commencing at *o'clock* in the noon on the *day of* 19 *for its consent to the modification of plans deposited under Schedule 1 to the Licensing (Northern Ireland) Order 1990 in respect of premises [to be] situated at (full address of premises for which licence sought)* for which the court on the *day of* 19 provisionally granted a licence under Article 10 of the said Order for premises of the kind specified in sub-paragraph *of Article 6(1) thereof.*

AND TAKE NOTICE that this application will be dealt with by the court on the *day of* 19 commencing at *o'clock.*

A copy of the modified plans clearly showing the proposed modifications is attached to this notice.

I/we intend to have the licence declared final when the premises are completed in accordance with the modified plans if they are approved by the court.

Dated this *day of* 19

Signature of Applicant(s)
or his/their Solicitor

To: The Chief Clerk at
courthouse).

(address of

Copy to:

- (i) the sub-divisional commander at
(sub-divisional headquarters for the police sub-division in which the premises are [to be] situated);
- (ii) the district council at
(district council for the district in which the premises are [to be] situated).

Licensing (Northern Ireland) Order 1990
(Articles 9, 10 and Schedule 1 paras. 6 and 11)

Notice of intention to object to [grant] [provisional grant] [declaration of final grant] of licence

IN THE COUNTY COURT/RECORDER'S COURT

FOR THE DIVISION OF

TAKE NOTICE that I (full name) of
(full address) being:—

- (a) the sub-divisional commander of the police sub-division in which the premises are [to be] situated; [1] or
- (b) (if different from (a)) the sub-divisional commander of the police sub-division in which the applicant for the licence resides; [1] or
- (c) a member of the district council for the district in which the premises are [to be] situated; [1] or
- (d) a person owning, or residing or carrying on business in, premises in the vicinity of the premises for which the licence is sought, [1] [2]

intend at the hearing of the application for the [grant] [provisional grant] [declaration of final grant] of a licence for the premises at (address) to be heard at
the sitting of the above court commencing on at to
appear and object to such grant on grounds specified in Schedule 1 to the above Order.

(state briefly and precisely grounds of objection).

Dated this day of 19 .

Signature of Objector or his
Solicitor

To: (full name(s) of applicant(s) for grant of
(full address(es) of applicant(s))
licence) of

Copy to the Chief Clerk at (address of
courthouse).

Notes:

[1] Delete if inapplicable.

[2] Under Schedule 1, paragraph 11 of the Order a person within category (d) has no right of objection to the declaration of the final grant of a licence.

Licensing (Northern Ireland) Order 1990
(Schedule 1 para. 5)

Notice of intention to object to surrender of licence under Article 8(2)(c)(ii)

IN THE COUNTY COURT/RECORDER'S COURT

FOR THE DIVISION OF

TAKE NOTICE that I (full name)
of (full address) having an estate in the premises at
(full address of premises) specified in a licence for the sale by retail
of intoxicating liquor, which (name of applicant for licence) of
(address) proposes to surrender under Article 8(2)(c)(ii) of the
above Order to the clerk of the above-named court before the licence is issued for the
premises at (address of premises for which new licence is to be
issued), intend at the hearing of the application for the grant of the last-mentioned
licence at the sitting of the court commencing on _____ at
_____ to appear and object to such surrender on the following grounds—

(state briefly and precisely grounds of objection).

Dated this _____ day of _____ 19 _____

Signature of Objector or
his SolicitorTo: (full name of applicant for
(full address of
grant of licence) of
*applicant)*Copy to the Chief Clerk at (address of courthouse).

Licensing (Northern Ireland) Order 1990

(Article 11 and Schedule 3 paras. 3 and 4)

Notice of application for declaration of approved sites

IN THE COUNTY COURT/RECORDER'S COURT
FOR THE DIVISION OF

WHEREAS the housing authority, of which the principal office is situated at (address) [having under Article 48 of the Housing (Northern Ireland) Order 1981 submitted to the Department of the Environment for Northern Ireland a re-development scheme in respect of the area described in the Schedule hereto] [1], has under paragraph 2 of Schedule 3 to the above Order submitted to the Department of the Environment for Northern Ireland proposals relating to the number and situation of sites for licensed premises and as to the kind of premises to be erected on those sites as described in the Schedule;

AND WHEREAS the said Department has approved those proposals with/without modification and has approved (number) sites in the said area;

TAKE NOTICE that the said housing authority intends to apply under the provisions of Article 11 of and Schedule 3 to the above Order to the County Court/Recorder's Court sitting at (specify courthouse, place of sitting, etc.) for the above division commencing at o'clock in the noon on the day of 19 for a declaration in the terms of those provisions.

AND TAKE NOTICE that this application will be dealt with by the court on the day of 19 commencing at o'clock.

Signed and sealed on behalf
of the Applicant

(L.S.)

Dated this day of 19 .

..... Chairman

..... Secretary or Clerk.

SCHEDULE
(Description of area and situation of approved sites)

To: The Chief Clerk at (address of courthouse).

Copy to:—

- (i) the sub-divisional commander(s) at (sub-divisional headquarters for the police sub-division(s) in which the area, or any part of it, is situated);
- (ii) the district council(s) at (district council(s) for the district(s) in which the area, or any part of it, is situated).

Note:

[1] Delete if inapplicable.

Licensing (Northern Ireland) Order 1990
(Article 11 and Schedule 3 para. 3(3) and (4))

Notice of intention to object to issue of declaration with respect to approved
site

IN THE COUNTY COURT/RECORDER'S COURT

FOR THE DIVISION OF

TAKE NOTICE that on the hearing of the application of
(*full title of housing authority*) under Article 11 of and Schedule 3 to the above Order
at the sitting of the court commencing on _____ at _____ I
(*full name*) of _____ (*full address*) being:—

- (a) a sub-divisional commander of a police sub-division in which the area, or a part of the area, is situated; [¹] or
- (b) a member of a district council for a district in which the area, or a part of the area, is situated; [¹] or
- (c) a person owning, or residing or carrying on business in premises in the vicinity of the area _____ (*state full address of such premises*); [¹]

intend to appear and object to the issue of the declaration with respect to that site on the following grounds—

(*state briefly and precisely grounds of objection*).

Signature of Objector or
his Solicitor

Dated this _____ day of _____ 19 .

To: _____ (*full title of housing authority*) at
(*full address*)

Copy to the Chief Clerk at
(*address of courthouse*).

Note:

[¹] Delete as applicable.

Licensing (Northern Ireland) Order 1990*(Article 36(1)(i) and (2) and Schedule 8)*

Notice of application for consent to alteration to licensed premises

IN THE COUNTY COURT/RECORDER'S COURT

FOR THE DIVISION OF

TAKE NOTICE that I/we
of *(full name(s))*
(full address(es))
the holder(s) of a licence of the kind specified in Article 6(1)[(a)] [(b)] [(c)] [(d)] [(e)]
[(f)] [(g)] [¹] of the above Order for the premises situated at *(full*
address) intend to apply to the County Court/Recorder's Court sitting at
(specify courthouse, place of sitting, etc.) for the above Division
commencing at o'clock in the noon on the day of 19 for
an order consenting to a proposed alteration in those premises, being an alteration of
the kind specified in Article 36(1) [(a)] [(b)] [(c)] [(d)] [¹] of the said Order, namely—

(give brief particulars of alterations) details of which are shown on the plan of the
premises attached to this notice.

AND TAKE NOTICE that this application will be dealt with by the court on the
day of 19 commencing at o'clock.

Dated this day of 19 .

Signature of Applicant(s)
or his/their Solicitor

To: The Chief Clerk at *(address of*
courthouse).

Copy to:—

- (i) sub-divisional commander at
(sub-divisional headquarters for the police sub-division in which the
premises are situated).
- (ii) *(full name of person who is recorded in the register of*
licences as the owner of the premises).

Note:

[¹] Delete reference to paragraphs which are inapplicable.

Licensing (Northern Ireland) Order 1990

(Schedule 8, paras, 5 and 6)

Notice of intention to object to consent to alterations to licensed premises

IN THE COUNTY COURT/RECORDER'S COURT

FOR THE DIVISION OF

TAKE NOTICE that on the hearing of the application of _____ under
Article 36 of the above Order at the sitting of the court commencing on _____
at _____ I _____ (*full name*) of
(*full address*) being:—

- (a) the sub-divisional commander of the police sub-division in which the premises are situated; [¹] or
- (b) the person whose name is recorded in the register of licences as the owner of the premises, [¹]

intend to object to the court's consenting to the proposed alteration to the licensed premises at _____ (*address*) to which such application relates.

Signature of Objector or
his Solicitor

Dated this _____ day of _____ 19 .

To: _____ (*full name of applicant*) of
_____ (*full address*).

Copy to the Chief Clerk at _____ (*address of
courthouse*).

Note:

[¹] Delete as applicable.

APPENDIX 2

PART I

Ordinary civil bills¹*(other than those provided for in Table 3)*

TABLE 1: PLAINTIFF'S COSTS

<i>In actions where amount decreed—</i>	<i>Solicitor's costs</i>	<i>Counsel's fee²</i>
(1)	(2)	(3)
(i) does not exceed £100	£ 59·00	£ 17·00
(ii) exceeds £100 but does not exceed £300	£127·00	£ 39·00
(iii) exceeds £300 but does not exceed £500	£202·00	£ 61·00
(iv) exceeds £500 but does not exceed £750	£273·00	£ 76·00
(v) exceeds £750 but does not exceed £1,000	£353·00	£ 88·00
(vi) exceeds £1,000 but does not exceed £1,500	£445·00	£104·00
(vii) exceeds £1,500 but does not exceed £2,000	£555·00	£127·00
(viii) exceeds £2,000 but does not exceed £3,000	£686·00	£151·00
(ix) exceeds £3,000 but does not exceed £4,000	£843·00	£180·00
(x) exceeds £4,000	£952·00	£202·00

1. This Table does not apply to actions for defamation.
2. Counsel travelling to attend a court—
 - (a) 20 to 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £6·77;
 - (b) more than 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £13·55.
3. For each copy civil bill required for service after first add 72p to costs. See Order 55, Rule 13.
4. Where service of civil bill effected by post under Rule 3(2)(b) of Order 6 the solicitor is entitled to £1·68 inclusive of outlay in lieu of process server's fee. See Order 55, Rule 17.
5. For drafting a reply to a notice for further particulars, the solicitor or counsel, as the case may be, is entitled to an additional sum of £10·75. This item is only to be allowed against the other party in actions where the amount claimed exceeds £2,000 and the allowance is recorded in the court minute book.
6. For each day or part of a day on which a trial or hearing is continued after the first day—
 - (a) counsel is entitled to an additional sum equivalent to one third of the scale fee;
 - (b) a solicitor in attendance is entitled to an additional sum equivalent to one third of counsel's scale fee.
7. Where in any action or application under the Consumer Credit Act 1974 the amount decreed exceeds £5,000, the costs may be increased by such amounts as the Judge thinks proper having regard to the amount involved or the importance or difficulty of the case.

TABLE 2: DEFENDANT'S COSTS

<i>In actions where amount claimed²</i>	<i>Solicitor's costs</i>	<i>Counsel's fee³</i>
(1)	(2)	(3)
(i) does not exceed £100	£ 55·00	£ 17·00
(ii) exceeds £100 but does not exceed £300	£123·00	£ 39·00
(iii) exceeds £300 but does not exceed £500	£196·00	£ 61·00
(iv) exceeds £500 but does not exceed £750	£261·00	£ 76·00
(v) exceeds £750 but does not exceed £1,000	£332·00	£ 88·00
(vi) exceeds £1,000 but does not exceed £1,500	£418·00	£104·00
(vii) exceeds £1,500 but does not exceed £2,000	£534·00	£124·00
(viii) exceeds £2,000 but does not exceed £3,000	£665·00	£151·00
(ix) exceeds £3,000 but does not exceed £4,000	£809·00	£178·00
(x) exceeds £4,000	£914·00	£202·00

1. This Table does not apply to actions for defamation.
2. See Order 55, Rule 10 for costs of counterclaim.
3. Counsel travelling to attend a court—
 - (a) 20 to 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £6·77;
 - (b) more than 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £13·55.
4. For drafting a reply to a notice for further particulars, the solicitor or counsel, as the case may be, is entitled to an additional sum of £10·75. This item is only to be allowed against the other party in actions where the amount claimed exceeds £2,000 and the allowance is recorded in the court minute book.
5. For each day or part of a day on which a trial or hearing is continued after the first day—
 - (a) counsel is entitled to an additional sum equivalent to one third of the scale fee;
 - (b) a solicitor in attendance is entitled to an additional sum equivalent to one third of counsel's scale fee.
6. Where in any action or application under the Consumer Credit Act 1974 the amount claimed exceeds £5,000, the costs may be increased by such amounts as the Judge thinks proper having regard to the amount involved or the importance or difficulty of the case.

**Default and summary civil bills¹²³
and undefended actions³⁴**

TABLE 3: PLAINTIFF'S COSTS

<i>In actions where amount decreed—</i>	<i>Where sum claimed and costs specified in civil bill not paid within 14 days of service</i>
(1)	(2)
(i) does not exceed £100	£ 32·00
(ii) exceeds £100 but does not exceed £300	£ 48·00
(iii) exceeds £300 but does not exceed £500	£ 61·00
(iv) exceeds £500 but does not exceed £750	£ 71·00
(v) exceeds £750 but does not exceed £1,000	£ 78·00
(vi) exceeds £1,000 but does not exceed £1,500	£ 87·00
(vii) exceeds £1,500 but does not exceed £2,000	£ 99·00
(viii) exceeds £2,000 but does not exceed £3,000	£106·00
(ix) exceeds £3,000 but does not exceed £4,000	£116·00
(x) exceeds £4,000	£128·00

1. Where a default or summary civil bill is defended, the costs of plaintiff and defendant respectively shall be in accordance with Tables 1 and 2 or, if the Judge so directs under Rule 11 of Order 55, the costs of the plaintiff shall be in accordance with the above Table.
2. Where defendant in proceedings commenced by summary or default civil bill has served notice that he disputes liability for the claim or alleges a counterclaim and the action has been entered for hearing as an ordinary action in accordance with Rule 7 or, as the case may be, Rule 13 of Order 12 and the defendant fails to enter a defence and to defend it, the costs to be increased by 100%.
3. Where the sum claimed is paid within 14 days of service of civil bill the sum for costs specified in column 2 to be reduced by 50%. See Rule 14 of Order 12 and Rule 14 of Order 55.
4. See Order 55, Rule 11 for Judge's discretion re costs and counsel in undefended actions for damages.
5. For each copy civil bill required for service after first add 72p to costs. See Order 55, Rule 13.
6. Where service of civil bill effected by post under Rule 3(2)(b) of Order 6 the solicitor is entitled to £1·68 inclusive of outlay in lieu of process server's fee. See Order 55, Rule 17.
7. See Part IX ("Miscellaneous Costs") of this Appendix for application of this Table to proceedings under Part VIII of the Judgments Enforcement (Northern Ireland) Order 1981 and under the Hire-Purchase Acts.
8. Where in any undefended action under the Consumer Credit Act 1974 the amount decreed exceeds £5,000, the costs may be increased by such amounts as the circuit registrar thinks proper having regard to the amount involved or the importance or difficulty of the case, provided that the total amount allowed for costs shall not exceed £150.

Ordinary civil bills — title jurisdiction

TABLE 4: PLAINTIFF'S COSTS

<i>Valuation</i> ¹	<i>Solicitor's costs</i>	<i>Counsel's fee</i> ²
(1)	(2)	(3)
(i) not exceeding £300	£111·00	£63·00
(ii) exceeding £300	£177·00	£80·00

1. To be calculated according to the valuation of the lands of the plaintiff or defendant, as the Judge may direct.
2. Counsel travelling to attend a court—
 - (a) 20 to 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £6·77;
 - (b) more than 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £13·55.
3. For each copy civil bill required for service after first add 72p to costs. See Order 55, Rule 13.
4. Where service of civil bill effected by post under Rule 3(2)(b) of Order 6 the solicitor is entitled to £1·68 inclusive of outlay in lieu of process server's fee. See Order 55, Rule 17.
5. For drafting a reply to a notice for further particulars, the solicitor or counsel, as the case may be, is entitled to an additional sum of £10·75. This item is only to be allowed against the other party in actions where the annual value of the land exceeds £300 and the allowance is recorded in the court minute book.
6. For each day or part of a day on which a trial or hearing is continued after the first day—
 - (a) counsel is entitled to an additional sum equivalent to one third of the scale fee;
 - (b) a solicitor in attendance is entitled to an additional sum equivalent to one third of counsel's scale fee.

Ordinary civil bills — title jurisdiction

TABLE 5: DEFENDANT'S COSTS

<i>Valuation</i> ¹	<i>Solicitor's costs</i>	<i>Counsel's fee</i> ²
(1)	(2)	(3)
(i) not exceeding £300	£104·00	£63·00
(ii) exceeding £300	£163·00	£80·00

1. To be calculated according to the valuation of the lands of the plaintiff or defendant, as the Judge may direct.
2. Counsel travelling to attend a court—
 - (a) 20 to 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £6·77;
 - (b) more than 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £13·55.

3. For drafting a reply to a notice for further particulars, the solicitor or counsel, as the case may be, is entitled to an additional sum of £10·75. This item is only to be allowed against the other party in actions where the annual value of the land exceeds £300 and the allowance is recorded in the court minute book.
4. For each day or part of a day on which a trial or hearing is continued after the first day—
 - (a) counsel is entitled to an additional sum equivalent to one third of the scale fee;
 - (b) a solicitor in attendance is entitled to an additional sum equivalent to one third of counsel's scale fee.

Libel and slander

TABLE 6: PLAINTIFF'S COSTS

<i>In actions where amount decreed—</i>	<i>Solicitor's costs</i>	<i>Counsel's fee¹</i>
(1)	(2)	(3)
(i) does not exceed £100	£135·00	£ 65·00
(ii) exceeds £100 but does not exceed £250	£176·00	£ 89·00
(iii) exceeds £250 but does not exceed £500	£229·00	£123·00
(iv) exceeds £500 but does not exceed £750	£282·00	£152·00
(v) exceeds £750	£320·00	£172·00

1. Counsel travelling to attend a court—
 - (a) 20 to 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £6·77;
 - (b) more than 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £13·55.
2. For each copy civil bill required for service after first add 72p to costs. See Order 55, Rule 13.
3. Where service of civil bill effected by post under Rule 3(2)(b) of Order 6 the solicitor is entitled to £1·68 inclusive of outlay in lieu of process server's fee. See Order 55, Rule 17.
4. For drafting a reply to a notice for further particulars, the solicitor or counsel, as the case may be, is entitled to an additional sum of £10·75.
5. For each day or part of a day on which a trial or hearing is continued after the first day—
 - (a) counsel is entitled to an additional sum equivalent to one third of the scale fee;
 - (b) a solicitor in attendance is entitled to an additional sum equivalent to one third of counsel's scale fee.

TABLE 7: DEFENDANT'S COSTS

<i>In actions where amount claimed—</i>	<i>Solicitor's costs</i>	<i>Counsel's fee¹</i>
(1)	(2)	(3)
(i) does not exceed £100	£131·00	£ 65·00
(ii) exceeds £100 but does not exceed £250	£169·00	£ 89·00
(iii) exceeds £250 but does not exceed £500	£216·00	£123·00
(iv) exceeds £500 but does not exceed £750	£255·00	£152·00
(v) exceeds £750	£287·00	£172·00

1. Counsel travelling to attend a court—
 - (a) 20 to 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £6·77;
 - (b) more than 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £13·55.
2. For drafting a reply to a notice for further particulars, the solicitor or counsel, as the case may be, is entitled to an additional sum of £10·75.
3. For each day or part of a day on which a trial or hearing is continued after the first day—
 - (a) counsel is entitled to an additional sum equivalent to one third of the scale fee;
 - (b) a solicitor in attendance is entitled to an additional sum equivalent to one third of counsel's scale fee.

PART II

Remitted actions¹

TABLE 1: PLAINTIFF'S COSTS

<i>In actions where amount decreed—</i>	<i>Solicitor's costs</i>	<i>Counsel's fee²</i>
(1)	(2)	(3)
(i) does not exceed £100	£ 59·00	£ 17·00
(ii) exceeds £100 but does not exceed £300	£127·00	£ 39·00
(iii) exceeds £300 but does not exceed £500	£202·00	£ 61·00
(iv) exceeds £500 but does not exceed £750	£273·00	£ 76·00
(v) exceeds £750 but does not exceed £1,000	£353·00	£ 88·00
(vi) exceeds £1,000 but does not exceed £1,500	£445·00	£104·00
(vii) exceeds £1,500 but does not exceed £2,000	£555·00	£127·00
(viii) exceeds £2,000 but does not exceed £3,000	£686·00	£151·00
(ix) exceeds £3,000 but does not exceed £4,000	£843·00	£178·00
(x) exceeds £4,000	£952·00	£202·00

1. Where a Chancery action is remitted the Judge shall direct which costs tables shall apply having regard to the subject matter of the suit.

2. Counsel travelling to attend a court—
 - (a) 20 to 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £6·77;
 - (b) more than 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £13·55.
3. Where the amount decreed exceeds £5,000, the costs may be increased by such amounts as the Judge thinks proper having regard to the amount involved or the importance or difficulty of the case.
4. For drafting a reply to a notice for further particulars, the solicitor or counsel, as the case may be, is entitled to an additional sum of £10·75.
5. For each day or part of a day on which a trial or hearing is continued after the first day—
 - (a) counsel is entitled to an additional sum equivalent to one third of the scale fee;
 - (b) a solicitor in attendance is entitled to an additional sum equivalent to one third of counsel's scale fee.

TABLE 2: DEFENDANT'S COSTS²

Solicitor's costs	...	£914·00
Counsel's fee ³	...	£202·00

provided, however, that, where no specific sum or a sum exceeding £5,000 is claimed, the Judge, having regard to the importance or difficulty of the case or to the amount involved, may increase the above amount.

1. Where a Chancery action is remitted the Judge shall direct which costs tables shall apply having regard to the subject matter of the suit.
2. Where the defendant complies with Order 8, Rule 6, he shall be entitled to claim £14·30.
3. Counsel travelling to attend a court—
 - (a) 20 to 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £6·77;
 - (b) more than 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £13·55.
4. For drafting a reply to a notice for further particulars, the solicitor or counsel, as the case may be, is entitled to an additional sum of £10·75.
5. For each day or part of a day on which a trial or hearing is continued after the first day—
 - (a) counsel is entitled to an additional sum equivalent to one third of the scale fee;
 - (b) a solicitor in attendance is entitled to an additional sum equivalent to one third of counsel's scale fee.

Ejectments

TABLE 1: PLAINTIFF'S COSTS

(1)	<i>Solicitor's costs</i> ¹ (2)	<i>Counsel's fee</i> ² (3)
Where the proceedings are for the recovery of possession of premises by a statutory body under statutory powers or which are not otherwise subject to the Rent and Mortgage Interest (Restrictions) Acts (Northern Ireland) 1920 to 1956—	£ 73·00	£37·00
In other cases—		
where the valuation		
(i) does not exceed £300	£111·00	£63·00
(ii) exceeds £300	£178·00	£80·00

1. See Order 55, Rule 14. Only 50% payable where defendant delivers up possession within 14 days of service of civil bill.
2. Counsel travelling to attend a court—
 - (a) 20 to 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £6·77;
 - (b) more than 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £13·55.
3. For each copy civil bill required for service after first add 72p to costs. See Order 55, Rule 13.
4. Where service of civil bill effected by post under Rule 3(2)(b) of Order 6 the solicitor is entitled to £1·68 inclusive of outlay in lieu of process server's fees. See Order 55, Rule 17.
5. For each day or part of a day on which a trial or hearing is continued after the first day—
 - (a) counsel is entitled to an additional sum equivalent to one third of the scale fee;
 - (b) a solicitor in attendance is entitled to an additional sum equivalent to one third of counsel's scale fee.

TABLE 2: DEFENDANT'S COSTS

(1)	<i>Solicitor's costs</i>	<i>Counsel's fee¹</i>
(1)	(2)	(3)
Where the proceedings are for the recovery of possession of premises by a statutory body under statutory powers or which are not otherwise subject to the Rent and Mortgage Interest (Restrictions) Acts (Northern Ireland) 1920 to 1956—	£ 66·00	£37·00
In other cases—		
where the valuation		
(i) does not exceed £300	£105·00	£63·00
(ii) exceeds £300	£161·00	£80·00

1. Counsel travelling to attend a court—
 - (a) 20 to 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £6·77;
 - (b) more than 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £13·55.
2. For each day or part of a day on which a trial or hearing is continued after the first day—
 - (a) counsel is entitled to an additional sum equivalent to one third of the scale fee;
 - (b) a solicitor in attendance is entitled to an additional sum equivalent to one third of counsel's scale fee.

PART IV

Proceedings to annul precept, order or conviction — Order 37

Instructions, drawing notice and copy	...	£12·00
Entry, preparation for and attending hearing	...	£39·62
Drawing order	...	£ 3·60

PART V

Restitution of possession

Where the application for restitution is opposed and is refused, Part III, Table 2, shall apply as if the respondent were a defendant.

Where the application for restitution is granted no party and party costs shall be allowed.

Grant and revocation of probate or administration

TABLE 1: PLAINTIFF'S COSTS

<i>Where the net estate— (1)</i>	<i>Solicitor's costs (2)</i>	<i>Counsel's fee¹ (3)</i>
(i) does not exceed £10,000	£190·00	£81·00
(ii) exceeds £10,000	£234·00	£96·00

1. Counsel travelling to attend a court—
 - (a) 20 to 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £6·77;
 - (b) more than 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £13·55.
2. For each copy civil bill required for service after first add 72p to costs. See Order 55, Rule 13.
3. Where service of civil bill effected by post under Rule 3(2)(b) of Order 6 the solicitor is entitled to £1·68 inclusive of outlay in lieu of process server's fee. See Order 55, Rule 17.
4. For drafting a reply to a notice for further particulars, the solicitor or counsel, as the case may be, is entitled to an additional sum of £10·75.
5. For each day or part of a day on which a trial or hearing is continued after the first day—
 - (a) counsel is entitled to an additional sum equivalent to one third of the scale fee;
 - (b) a solicitor in attendance is entitled to an additional sum equivalent to one third of counsel's scale fee.

Grant and revocation of probate or administration

TABLE 2: DEFENDANT'S COSTS

<i>Where the net estate— (1)</i>	<i>Solicitor's costs (2)</i>	<i>Counsel's fee¹ (3)</i>
(i) does not exceed £10,000	£176·00	£81·00
(ii) exceeds £10,000	£216·00	£96·00

1. Counsel travelling to attend a court—
 - (a) 20 to 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £6·77;
 - (b) more than 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £13·55.
2. For drafting a reply to a notice for further particulars, the solicitor or counsel, as the case may be, is entitled to an additional sum of £10·75.
3. For each day or part of a day on which a trial or hearing is continued after the first day—

- (a) counsel is entitled to an additional sum equivalent to one third of the scale fee;
 (b) a solicitor in attendance is entitled to an additional sum equivalent to one third of counsel's scale fee.

PART VII

**Application under Criminal Injuries to Persons (Compensation)
 Act (Northern Ireland) 1968**

TABLE 1: APPLICANT'S COSTS

<i>Where amount awarded—</i> (1)	<i>Solicitor's costs</i> (2)	<i>Counsel's fee</i> (3)
(i) does not exceed £30	£ 15·00	£ 5·00
(ii) exceeds £30 but does not exceed £75	£ 27·00	£15·00
(iii) exceeds £75 but does not exceed £150	£ 47·00	£18·00
(iv) exceeds £150 but does not exceed £300	£ 74·00	£23·00
(v) exceeds £300 but does not exceed £500	£ 81·00	£26·00
(vi) exceeds £500 but does not exceed £1,000	£ 97·00	£28·00
(vii) exceeds £1,000 but does not exceed £2,000	£108·00	£39·00
(viii) exceeds £2,000 but does not exceed £3,500	£123·00	£47·00
(ix) exceeds £3,500 but does not exceed £5,000	£135·00	£55·00
(x) exceeds £5,000 but does not exceed £5,500	£141·00	£57·00
(xi) exceeds £5,500 but does not exceed £6,000	£149·00	£61·00
(xii) exceeds £6,000 but does not exceed £6,500	£157·00	£63·00
(xiii) exceeds £6,500 but does not exceed £7,000	£163·00	£68·00
(xiv) exceeds £7,000 but does not exceed £7,500	£169·00	£71·00
(xv) exceeds £7,500 but does not exceed £8,000	£176·00	£74·00
(xvi) exceeds £8,000 but does not exceed £8,500	£184·00	£77·00
(xvii) exceeds £8,500 but does not exceed £9,000	£190·00	£81·00
(xviii) exceeds £9,000 but does not exceed £9,500	£196·00	£84·00
(xix) exceeds £9,500 but does not exceed £10,000	£202·00	£86·00

1. If claim is settled and attendance of applicant's solicitor not required at court for purpose of obtaining a decree, 85% only of costs in columns (2) and (3) are payable, unless the parties otherwise agree or the Judge orders.
2. Where the respondent has before the hearing of an application in court made an unconditional offer in writing to pay a specified amount for compensation and the compensation awarded by the Judge does not exceed such amount, only 50% of the costs in columns (2) and (3) are payable. Such written offer must be served on the applicant in accordance with section 24 of the Interpretation Act (Northern Ireland) 1954 not less than fourteen days before the commencement of the actual hearing by the Judge. The amount specified in the offer shall not be communicated to the Judge until after he has determined the amount awarded.
3. Where the case is of exceptional complexity or difficulty, and in any event, taking into account the role of counsel and the nature and content of the proceedings, the Judge may certify an amount exceeding scale figure.
4. Where the Judge considers that it was proper for the applicant to instruct senior as well as junior counsel, he may certify counsel's fees and solicitor's costs in such sum as he considers appropriate.
5. Where the amount awarded exceeds £10,000, the Judge shall, unless the parties otherwise agree, certify the amount for solicitor's costs and the amount allowed for counsel's fees.

Criminal injury applications

TABLE 2: RESPONDENT'S COSTS

Where an application for compensation is dismissed the amount recoverable by the respondent for solicitor's costs or counsel's fees shall, in default of agreement, be such amount, if any, as the Judge may settle.

PART VIII

Equity suits and proceedings

1. Subject to the Judge's discretion, the following regulations shall be applicable to the costs of equity suits and proceedings under Articles 13 and 14 of the Order.
2. For the determination of costs in equity matters there shall be seven scales which may be known respectively as Scales 1, 2, 3, 4, 5, 6 and 7, and shall, subject to the succeeding regulations of this Part, be applied as follows, that is to say—

<i>Where the value of the personalty and/or lands—</i>	<i>The scale applicable shall be—</i>
does not exceed £1,250	Scale 1
exceeds £1,250 but not £2,500	Scale 2
exceeds £2,500 but not £5,000	Scale 3
exceeds £5,000 but not £7,500	Scale 4
exceeds £7,500 but not £10,000	Scale 5
exceeds £10,000 but not £12,500	Scale 6
exceeds £12,500	Scale 7

and the costs in the Schedule hereto shall apply accordingly.

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 the proceedings shall, subject to any direction of the Judge, be taken to be ten times their net annual value.
4. 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.
5. Notwithstanding the foregoing provisions of this Part, the Judge may in any case direct that any of the scales prescribed in this Part be wholly or partly applicable for the determination of the costs of any party thereto.
6. Where any item of costs or expenses has not been provided for in the said Schedule, or where, having regard to the work actually performed, the amounts provided in the Schedule are in the opinion of the Judge inadequate, he may for any particular case make a special order allowing such costs and expenses as he may think just.
7. The value of the subject matter of any suit for the purpose of stamp duties and for the allowance of costs and expenses shall in case of dispute be assessed by the Judge.
8. Where a suit is terminated by settlement or other arrangement at any time before the final decree, the Judge may order such allowance in respect of costs and

expenses of either or any of the parties as in his opinion, having regard to the nature and circumstances of the case, may seem just.

9. The costs of separate appearances by counsel or solicitor for parties whose interests are not antagonistic shall not be allowed, nor shall more than one set of costs be allowed for any parties for whom the Judge is of the opinion that separate appearances were unnecessary.
10. Costs as between party and party shall in all cases be taxed by the circuit registrar when directed by the Judge, and as between solicitor and client on requisition. Every such taxation shall be subject to review by the Judge wholly or in part.
11. Where in a mortgage suit the defendant, either before the hearing or within the time fixed by the primary decree, pays the amount due for principal and interest together with all costs due up to the date of payment, such costs shall be ascertained by reference to the amount due at the commencement of the proceedings and not by reference to the value of the lands.
12. Where equity proceedings involve a declaration of title or a claim for damages for trespass to lands, or an injunction in relation to lands, it shall be in the discretion of the Judge to direct that costs shall be in accordance with Tables 4 and 5 in Part I in lieu of any other Tables or scales.
13. Counsel travelling to attend Court—
 - (a) 20 to 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £6.77;
 - (b) more than 50 miles from the Head Post Office, Belfast, is entitled to an additional sum of £13.55.
14. For each day or part of a day on which a trial or hearing is continued after the first day—
 - (a) counsel is entitled to an additional sum equivalent to one third of the scale fee;
 - (b) a solicitor in attendance is entitled to an additional sum equivalent to one third of counsel's scale fee.

SCHEDULE
Counsel's fees

	<i>Scale</i> 1	<i>Scale</i> 2	<i>Scale</i> 3	<i>Scale</i> 4	<i>Scale</i> 5	<i>Scale</i> 6	<i>Scale</i> 7
	£	£	£	£	£	£	£
For advising proceedings or defence, settling the equity civil bill or petition and advising proofs—	20	37	53	65	77	89	102
On the hearing of every equity civil bill or petition—	37	55	71	87	103	117	133
In suits in which the primary relief sought is of course, and involves a reference for account or inquiry, and a second decree, no fee shall be allowed in respect of the first hearing unless the Judge, having regard to any question of difficulty which may arise in the course of the suit, otherwise directs.							
In every suit for equitable relief, where the right to such relief is not contested, the fees allowed on the hearing shall, unless the Judge otherwise directs, not exceed—	20	37	53	65	77	89	102

The allowance of fees for counsel which are not hereinbefore provided for shall be governed by the nature, circumstances and general requirements of each case, and, save as herein provided, no fee to counsel shall be allowed on taxation unless by special direction in writing signed by the Judge, which direction must in all cases be applied for at the time of counsel's appearance; and no costs of counsel shall be allowed in any case which in the opinion of the Judge is not fit for such allowance.

In all cases in which a fee to counsel is allowed or directed by the Judge, there shall be produced to the officer on taxation—

- (a) the brief or document in respect of which such fee is charged;
- (b) where requisite, a memorandum of the allowance or direction of the Judge; and
- (c) counsel's receipt;

otherwise the items for the fee and all relevant instructions shall be disallowed, or the taxation shall be disallowed, or the taxation shall be adjourned without costs of attendance, at the discretion of the Officer.

Solicitor's costs

PERCENTAGE OR COMMISSION IN LIEU OF SOLICITOR'S COSTS IN SUITS BY CIVIL BILL OR PETITION

If in any suit, having regard to its nature and circumstances, it appears to the Judge, on the application of the solicitor having carriage of the proceedings, or of the solicitor for any party interested in the suit, that it is expedient that a percentage or commission should be allowed as remuneration to the solicitor or solicitors for his or their services in each suit, in lieu of ordinary costs therein, he may make such allowance, subject to the following provisions, that is to say—

- (a) The percentage or commission in any such suit shall be calculated upon the value of the subject matter of the suit.
- (b) The application for such allowance may be made at any hearing of a suit or by interlocutory application.
- (c) In case of the death or change of the solicitor on whose application such allowance has been made, or for any other cause, the Judge may subsequently vary such direction, and order that any costs properly and necessarily incurred in the suit are to be ascertained in the usual way.
- (d) The allowance of a percentage or commission in lieu of costs shall not prejudice or restrict the exercise by the Judge of the jurisdiction to allow or disallow costs to any party in any suit.

Solicitor's costs

WHERE THE PRINCIPLE OF ALLOWANCE BY PERCENTAGE OR COMMISSION
DOES NOT APPLY

	<i>Scale</i> 1	<i>Scale</i> 2	<i>Scale</i> 3	<i>Scale</i> 4	<i>Scale</i> 5	<i>Scale</i> 6	<i>Scale</i> 7
	£	£	£	£	£	£	£
1. For taking instructions for civil bill or defence, advising thereon, taking instructions for hearing, advising proofs, and instructing counsel when employed.	17	31	47	63	80	97	111
2. For drawing civil bill or statement of defence and copy for service, and instructing counsel when employed.	12	26	34	47	60	72	84
3. For entering civil bill or defence, and attending the hearing, with or without counsel, and for all other costs up to the decree, and taking out same.	38	72	103	135	168	199	229
4. In cases of account or inquiry — on further hearing, in addition to the above, for entering the matter, attending further hearing with or without counsel and taking out the order thereon.	38	72	103	135	168	199	229
5. For confirmation of certificate on account or inquiry where no application to vary a sum not exceeding—	17	29	38	53	63	76	87

County Courts

No. 234

	<i>Scale</i> 1	<i>Scale</i> 2	<i>Scale</i> 3	<i>Scale</i> 4	<i>Scale</i> 5	<i>Scale</i> 6	<i>Scale</i> 7	<i>No. 234</i>
	£	£	£	£	£	£	£	
6. Trustee Act (Northern Ireland) 1958: Order 28. For instructions and attendances, drawing, engrossing and filing an affidavit for the purpose of payment of money, transfer of stock, or deposit of security, obtaining the certificate, paying the money, transferring the stock, or depositing the security and all other costs.	29	56	84	112	140	168	196	
7. For all work incident to obtaining an order to invest under Order 28 or Order 45 or for payment of income under Order 45—								
Where the application is <i>ex parte</i>	17	31	47	63	80	97	111	<i>County Courts</i>
Where the application is on notice	22	37	57	76	96	111	131	
For the purposes of items 1, 2 and 3 the expression “civil bill” includes any summons or petition initiating proceedings but does not include a petition at item 8.								
8. For all work incident to obtaining an order for payment out or distribution of funds—								
Where the application is <i>ex parte</i>	17	31	47	63	80	97	111	
Where the application is on notice or by petition	29	56	84	112	139	168	196	
9. For all work in connection with an application to the Accountant General under Court Funds Rules	8	17	26	32	39	48	56	1311

	<i>Scale</i> 1	<i>Scale</i> 2	<i>Scale</i> 3	<i>Scale</i> 4	<i>Scale</i> 5	<i>Scale</i> 6	<i>Scale</i> 7	1312
Costs in the office of the Chief Clerk—	£	£	£	£	£	£	£	
10. To the solicitor for the plaintiff, petitioner, or party having the carriage of the proceedings. In all cases of account or inquiry directed by any decree or order to be taken or made before any officer of the court, and in lieu of all other costs incurred between the primary decree and the termination of the taking of such account or the making of such inquiry, there shall be allowed to the solicitor for the plaintiff, petitioner, or party having the carriage of the proceedings, as the case may be, such sums as having regard to Rule 9 of Order 55 the taxing officer shall consider reasonable but not exceeding (save by direction of the Judge).	100	199	299	398	498	597	697	
11. To the solicitor for the defendant or respondent. In all cases of account or inquiry directed by any decree or order to be taken or made before the officer of the court, and in lieu of all other costs incurred between the date of the primary decree and the termination of the taking of such account or the making of such inquiry, there shall be allowed to each party (other than the party having carriage of the proceedings) on the taxation of the costs, regard being had to the work properly performed, such sum as the officer thinks reasonable or just, not exceeding the allowance to the plaintiff, petitioner or other party having carriage of the proceedings, hereinbefore provided.								

PART IX

Miscellaneous Costs

INTERPLEADER PROCEEDINGS

The costs under Order 10 shall be in accordance with the foregoing Rules and Tables so far as appropriate and subject to any direction by the Judge.

INTERLOCUTORY APPLICATIONS (other than Equity)

Solicitor's Costs

Instructions and drawing notice of motion, filing and serving copy £6.24

Attending before Judge or Circuit Registrar on notice or ex parte £13.55

These items are only to be allowed against the other party when certified by the Judge or Circuit Registrar.

Counsel's fees

Attending before Judge on notice or ex parte £13.55

This item is only to be allowed against the other party when the Judge certifies that counsel was necessary.

JUDGMENTS ENFORCEMENT (NORTHERN IRELAND)
ORDER 1981: Part VIII

Costs of an enforcement order under Rule 4(2)(a) of Order 40 shall be in accordance with Part I, Table 3 as if the total amount ordered to be paid by instalments were the amount decreed.

Costs of a committal order or an attachment of earnings order made by the Court under the said Act shall be one-half the amount of the costs appropriate to an enforcement order.

ENFORCEMENT OF COUNTY COURT DECREES IN OTHER PARTS
OF THE UNITED KINGDOM

Applicant's costs of obtaining a certificate in respect of a money provision contained in a decree..... £8.11

And in addition £1.61 in respect of the affidavit together with the commissioner's fee (if any).

HIRE-PURCHASE

Where an order is made for recovery of possession of goods let under a hire-purchase agreement, the prima facie value of the goods for the purpose of costs shall be the total price less (a) the amount paid, and (b) the amount of arrears (if any) awarded by the decree or order, but this value may be varied by the Judge in his discretion and the costs shall be of the same amount as in proceedings for the recovery of a sum of money equal to the said value of the goods.

Where a decree for arrears of instalments and/or damages is coupled with an order for recovery of possession of goods the amount thereof shall be added to the value of the goods as ascertained as above for the purpose of fixing the amount of the costs.

In any proceedings on foot of a hire-purchase agreement for recovery of possession of goods or for arrears of instalments or for damages for breach of the said agreement where such proceedings are undefended the costs shall be in accordance with Part I, Table 3 and in other cases Part I, Tables 1 or 2.

STATUTORY APPEALS AND APPLICATIONS

Notice of appeal or application, services and entry	£12·00
Preparation for and attending hearing, instructing counsel (if any) and taking out order	£63·00
Counsel's fees	£39·00

The above fees may be increased at the discretion of the Judge, who may, in the case of an application under the Administration of Estates Act (Northern Ireland) 1955 or the Inheritance (Provision for Family and Dependents) (Northern Ireland) Order 1979 or the Administration of Estates (Northern Ireland) Order 1979 or any other statutory application not otherwise provided for, direct that the Equity scales shall apply in lieu of the above costs.

PROCEEDINGS FOR WRONGFUL INTERFERENCE WITH GOODS

Where an order is made for delivery of goods with or without an order for damages the value of the goods as assessed by the Court shall be added to the damages, if any, for the purpose of ascertaining the appropriate costs scales.

Where an action for wrongful interference with goods is dismissed the defendant's costs shall be based upon the value of the goods claimed as assessed by the Court or shall be such sum as the Judge may award.

COSTS OF THE DAY

If ordered by the Judge on the application of any party, the costs of the day in any proceeding shall be in the discretion of the Judge.

PART X

Occasional costs

1. For any affidavit of service not otherwise provided for	£1·62
2. For any other necessary affidavit not otherwise provided for, per folio	£0·67
3. For preparing recognizance	£1·86
4. For drawing, issuing and having served a witness summons	£5·40
5. For drawing costs and copies, per page	£4·02
6. For attending taxation, per hour	£6·78

(This note is not part of the rules.)

These rules amend the County Court Rules (Northern Ireland) 1981 so as to:

1. Take account of the Licensing (Northern Ireland) Order 1990 [S.I. 1990/594 (N.I. 6)], which Order comes into operation on 15th June 1990 and which will revoke and replace the Licensing Act (Northern Ireland) 1971 as amended, by—

- (a) substituting new Parts I–IV of Order 48 of the County Court Rules for the existing Parts I–IV to provide for the procedure to be followed in connection with applications to the county court under the new Order (rule 2 and Schedule 1); and
 - (b) substituting new Forms 194–211 in Appendix 1 for the existing Forms 194–211, which are the necessary forms for use in relation to such applications (rule 2 and Schedule 2).
2. Increase county court scale costs by 7·5% (rule 3 and Schedule 3).

1990 Nos. 235, 236

These Orders have been exempted from printing by the Statutory Rules (Northern Ireland) Order 1979. Summaries are given in the List of Statutory Rules of a Local Character under the heading ROADS.