
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 177

**FAMILY PROCEEDINGS
SUPREME COURT
COUNTY COURT**

**The Family Proceedings Fees (Amendment)
Order (Northern Ireland) 1997**

Made - - - - *19th March 1997*
Coming into operation *1st April 1997*

The Lord Chancellor, in exercise of the powers conferred on him by section 116(1) of the Judicature (Northern Ireland) Act 1978(1), after consultation with the Lord Chief Justice and with the concurrence of the Treasury, hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Family Proceedings Fees (Amendment) Order (Northern Ireland) 1997 and shall come into operation on 1st April 1997.

Fees to be taken in family proceedings

2. For the Schedule to the Family Proceedings Fees Order (Northern Ireland) 1996(2) there shall be substituted the new Schedule set out in the Schedule to this Order.

Dated 19th March 1997

Mackay of Clashfern, C.

(1) 1978 c. 23
(2) S.R. 1996 No. 495

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

We concur,

Dated 19th March 1997

Richard Ottaway
Roger Knapman
Two of the Lords Commissioners of Her
Majesty's Treasury

SCHEDULE

Article 2

“SCHEDULE

Article 4

Fees to be taken in Family Proceedings

Column 1 Item	Column 2 Fee £	Column 3 Document to be endorsed
Commencement of Proceedings		
1		
(a) On sealing an originating summons	150·00	The filed copy
(a) On presenting any petition other than a second petition presented with leave granted under rule 2.6(3)—		
(i) When the petition is presented to the High Court	150·00	The filed copy
(ii) When the petition is presented to a divorce county court	135·00	The filed copy

NOTE: Fees to include provision for the number of initial copies required for service

Proceedings under the Children (Northern Ireland) Order 1995

2

On filing an application or requesting leave under the following provisions of the Children (Northern Ireland) Order 1995—

Parental Responsibility, Guardians, Article 8 orders

- | | | |
|---|-------|----------------|
| (a) Article 7(1)(a) or (4), 10(1) or (2), 159(1); | 30·00 | The filed copy |
| (b) Article 13(1) or 163(1) | 20·00 | The filed copy |

Financial Provision for Children

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Column 1 Item	Column 2 Fee £	Column 3 Document to be endorsed
(c) paragraph 2(1), 3(1), 7(5), 16(1) of Schedule 1	30.00	The filed copy
(d) paragraph 2(4), 3(5), 6(6), 7(7), 7(8), 10(2), 12(2) or 13 of Schedule 1	20.00	
<i>Secure Accommodation</i>		
(e) Article 44	No fee	
<i>Care, Supervision etc</i>		
(f) Article 50	50.00	The filed copy
(g) Article 52(7), 57(8)(b), 58(1), (2), (3) or (4), paragraph 6(3) of Schedule 3 or paragraph 10(3) of Schedule 8	20.00	The filed copy
<i>Contact with child in care</i>		
(h) Article 53(2), (3), (4) or (9)	20.00	The filed copy
<i>Placement Abroad</i>		
(i) Article 33(1)	20.00	The filed copy
<i>Education supervision</i>		
(j) Article 55(1)	50.00	The filed copy
(k) paragraph 5(2) or 7(1) of Schedule 4	20.00	The filed copy
<i>Child Assessment</i>		
(l) Article 62(1)	50.00	The filed copy
(m) Article 62(12)	20.00	The filed copy
<i>Emergency Protection</i>		
(n) Article 63, 64 and 67	No fee	
<i>Recovery of children</i>		
(o) Article 69	No fee	
<i>Miscellaneous</i>		
(p) Article 178	20.00	The filed copy
(q) On commencing an appeal under		

Column 1 Item	Column 2 Fee £	Column 3 Document to be endorsed
Article 166 or Article 41(11)		
(i) to the county court	36.00	
(ii) to the High Court	40.00	
NOTE: Where an application requires leave of the court the relevant fee applies where leave is sought but no further fee may be charged if leave is granted and the application is made		
Application for Ancillary Relief		
3		
On filing a notice of application for ancillary relief	40.00	The filed copy
Other Application in Proceedings		
4		
On any application in matrimonial proceedings, except where it is otherwise provided for in this Schedule, or is for an order by consent, made		
(i) to a master	40.00	The filed copy
(ii) to a judge	45.00	The filed copy
Writ of Subpoena & Witness Summonses		
5		
On sealing a writ of subpoena or issuing a witness summons per person	5.00	The filed copy
Copies of Documents		
6		
(a) Personal Applications		
(i) for a copy of all or part of any document, issued as an office copy for each page	1.00	The requisition
(ii) for a certified copy of any document per page	3.00	The requisition

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Column 1 Item	Column 2 Fee £	Column 3 Document to be endorsed
(iii) for a sealed and certified copy of any document per page	3.50	The requisition
(b) Applications in addition to the fees at 6(a) above for a copy of any of the documents referred to	Postal 5.00	The requisition
Searches and Inspections		
7		
(a) On making a search in the index of Parental Responsibility Agreements kept in the Office of Care and Protection in accordance with regulations made under Article 7 of the Children (Northern Ireland) Order 1995 and, if appropriate providing a copy of an agreement	20.00	The requisition
(b) On a search (including inspection) other than one for which a fee is prescribed under 7(a) above	5.00	The requisition
(c) For an official certificate of the result of a search in any index	5.00	The requisition
(d) applications, in addition to the fee at 7(c) above	Postal 5.00	The requisition
Miscellaneous		
8		
For signing, settling or approving an advertisement	5.00	The requisition

Column 1 Item	Column 2 Fee £	Column 3 Document to be endorsed
Appeals		
9		
(a) On filing a notice of appeal from a master to a judge in chambers	45·00	The filed copy
(b) On entering any appeal (including an interlocutory appeal) to the Court of Appeal	150·00	The notice of appeal or requisition
Taxation		
10		
(a) On the taxation of a bill of costs:		The bill
Where the amount allowed does not exceed £5	1·00	The bill
Where the amount allowed exceeds £5 but does not exceed £100, for every £1 or fraction thereof—	0·15	
Where the amount allowed exceeds £100—		The bill
(i) for the first £100	22·00	The bill
(ii) for every £1 or fraction thereof over £100	0·15	
(b) On withdrawal of a bill of costs which has been lodged for taxation	Such fee (not exceeding the amount which would have been payable under Fee No. 10(a) if the bill had been allowed in full) as shall appear to the taxing master to be fair and reasonable	
NOTE: The taxing master may in any case require the bill of costs to be stamped before taxation with the whole or part of the amount of fees which would be payable if the bill were allowed by him at the full amount thereof.		
Enforcement		
11		
On any application for enforcement of a matrimonial order.	35·00	The filed copy”

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EXPLANATORY NOTE

(This note is not part of the Order.)

This Order amends the Family Proceedings Fees Order (Northern Ireland) 1996 so as to increase a number of the fees to be taken in family proceedings, in the High Court and county courts.