

2015 No. 302

LANDS TRIBUNAL

**The Lands Tribunal (Amendment) Rules (Northern Ireland)
2015**

Made - - - - - *8th July 2015*

Coming into operation - *10th August 2015*

The Department of Justice^(a) makes the following Rules in exercise of the power conferred by section 9(1) of the Lands Tribunal and Compensation Act (Northern Ireland) 1964^(b).

In accordance with that subsection it has consulted with the President of the Lands Tribunal for Northern Ireland.

Citation and commencement

1. These Rules may be cited as the Lands Tribunal (Amendment) Rules (Northern Ireland) 2015 and shall come into operation on 10th August 2015.

Amendment to the Lands Tribunal Rules (Northern Ireland) 1976

2. The Lands Tribunal Rules (Northern Ireland) 1976^(c) shall be amended in accordance with rule 3.

3. For Schedule 2 substitute the new Schedule 2 set out in the Schedule.

Sealed with the Official Seal of the Department of Justice on 8th July 2015.



David Ford
Minister of Justice

(a) The section 9(1) rule making power of the Department of Finance and Personnel has been transferred to the Department of Justice by Article 5 of the Departments (Transfer of Functions) Order (Northern Ireland) 2011 (S.R. 2011 No. 44).
(b) 1964 c.29 (N.I.)
(c) S.R. 1976 No. 146. Relevant amendments are made by S.R. 2007 No.409.

SCHEDULE

Rule 3

“Schedule 2

<i>Item</i>	<i>Fee</i>
Notice of reference, appeal or application	
1. On a notice of reference under Part II (The General Rules) including a reference by consent under rule 4(2)(c)	£2.00
2. On a notice of capital value appeal under Part III (The Rating Rules)	£2.00
3. On a notice of application for leave to appeal under rule A1(7)	£2.00
4. On a notice of reference under Part VI (The Land Development Value Rules)	£2.00
5. On a notice of application under Part VII (The Business Tenancies Rules)	£2.00
6. On a notice of reference under Part VIII (The Miscellaneous Statutory Provisions Rules)	£2.00
7. On a notice of application for an interlocutory order under rule 12 or an order under rule 13 or for any other order	£1.00
Hearing fees	
8. On the hearing of any interlocutory application under rules 12 and 13 or for any other order	£1.00
9. On a hearing of a preliminary point of law under rule 15 except in the case of an appeal in relation to an entry in a NAV list	£2.00
10. On a hearing:	
(a) where an award involves payment of a lump sum:	
(i) not exceeding £1,000	£5.00
(ii) exceeding £1,000, then	with £5.00 added for every £1,000 or part thereof but not exceeding £500.00
(b) where an award involves the payment of a rent or royalty or annual payment or apportionment thereof then for the first and every £200 or part thereof of such payment	£1.00
(c) in any case where the award is not solely either for the payment of a lump sum or for the payment of a rent, royalty, annual payment or an apportionment thereof, then the Tribunal shall fix the hearing fee according to the subject matter of the claim, by having regard to the fees payable under Items 10(a) and (b)	
(d) on an application or appeal under Part III (except in the case of an appeal in relation to an entry in a NAV list)—	
(i) application for leave to appeal	£3.00
(ii) appeal against a decision or determination of the Valuation Tribunal under Article 13(3) of that Order in relation to a capital value list	£3.00
(iii) appeal transferred under Article 53 of the Rates Order or an appeal under Article 54 or 54A of the Rates Order other than an appeal against a decision or direction of the Valuation Tribunal under Article 13(3) of that Order for every £100,000 of capital value shown in an entry in a capital value list which is the subject of the appeal	£1.00 (but not exceeding £500.00)
(e) except in the case of an appeal in relation to an entry in a NAV list, where the claim fails the Tribunal shall fix the hearing fee having regard to the fee which would have been payable if the claim had succeeded	
Notice of appeal and hearing fee (appeal in relation to an entry in a NAV list)	
11. On an application for leave to appeal or a notice of appeal for an appeal in	

relation to an entry in a NAV list for a:

- (a) hearing of a preliminary point of law under rule 15; or
- (b) hearing for and transfer under Article 53 of the Rates Order and an appeal under Article 54 of the Rates Order, one per cent of the pre-appeal net annual value, subject to a—

(i) minimum fee	£250.00
(ii) maximum fee	£15,000.00

Copies of documents

12. (i) for a copy of any decision, or order or award of the Tribunal or any document or part thereof (5 sheets or less)	£5.00
(ii) additional copy per page	£0.50
(iii) for certifying a copy of a decision or an order or an award	£10.00

Miscellaneous fees

13. In a case stated for decision of the Court of Appeal:

(i) on drawing case, if now drawn by the parties	£5.00
(ii) attending the President, or the Tribunal to settle case drawn by the parties	£5.00

Consent orders

14. On registering a consent order	£1.00
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Costs

15. (i) on taxation of a bill of costs for every £5.00 or fraction of £5.00	£0.25
(ii) on objection and application to the registrar to review a taxation	£1.00
(iii) on application to the President to review a taxation	£2.00”

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Lands Tribunal Rules (Northern Ireland) 1976 (S.R. 1976 No. 146) to amend the fees for appeals in relation to an entry in a NAV list and for copies of documents.

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