

**2019 No. 176**

**JUDGMENTS (ENFORCEMENT)**

**The Judgment Enforcement Fees (Amendment) Order (Northern Ireland) 2019**

*Made* - - - - - *9th September 2019*

*Coming into operation* - *1st October 2019*

The Department of Justice, in exercise of the powers conferred by section 116(1) and (1A) of the Judicature (Northern Ireland) Act 1978(a) and now vested in it(b), makes the following Order with the concurrence of the Department of Finance(c).

The Department has, in accordance with section 116(1) of that Act, consulted with the Lord Chief Justice.

**Citation and commencement**

1. This Order may be cited as the Judgment Enforcement Fees (Amendment) Order (Northern Ireland) 2019 and shall come into operation on 1st October 2019.

**Amendments to the Judgment Enforcement Fees Order (Northern Ireland) 1996**

2. The Judgment Enforcement Fees Order (Northern Ireland) 1996(d) is amended as follows.

3. In Article 7 (Payment of fee causing hardship) at the beginning insert "Subject to Article 11,".

4. In Article 9 (Exemptions and Refunds) at the beginning of paragraph (1) insert "Subject to Article 11,".

5. After Article 10 insert—

**“Exceptions to Remissions and Exemptions**

**11.** No reduction or remission under Article 7 or exemption under Article 9 is available in respect of the fees prescribed by this Order for—

- (a) copy (including a photographic copy) documents;
- (b) searches and inspections.”.

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(a) 1978 c. 23 as amended by Article 15(1) and paragraph 6(h) of Schedule 17 to the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010 No. 976); and s.59 of the Justice Act (Northern Ireland) 2016 (2016 c.21 (N.I.)).

(b) Article 15(4)(b) of the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010 No. 976).

(c) Formerly the Department of Finance and Personnel, see the Departments Act (Northern Ireland) 2016 (2016 c.5 (N.I.)), Section 1(4) and Schedule 1.

(d) S.R. 1996 No. 101 to which relevant amendments are made by S.R. 2007 No. 380 and S.R. 2017 No. 12.

6. For the Schedule substitute the new Schedule set out in the Schedule to this Order.

Sealed with the Official Seal of the Department of Justice on 9th September 2019

A circular official seal containing the letters "L.S." in a bold, sans-serif font.

*Peter May*  
A senior officer of the Department of Justice

The Department of Finance concurs in the making of this Order.

Sealed with the Official Seal of the Department of Finance on 9th September 2019

A circular official seal containing the letters "L.S." in a bold, sans-serif font.

*Emer Morelli*  
A senior officer of the Department of Finance

## SCHEDULE

Article 6

## “SCHEDULE

Article 4

### Fees

#### PART 1

<i>Column 1</i> No. Fee	<i>Column 2</i> of Item	<i>Column 3</i> Amount of Fee
1	On lodging notice of intent to apply for enforcement under rule 6; in respect of each person to be served	£26.00
2	On lodging an application for enforcement under Article 22 of the Order; in respect of each respondent	
	Where the sum due on foot of the judgment—	
	(1) does not exceed £300	39p in the £1.00 Minimum fee £20.00
	(2) exceeds £300 but does not exceed £1,000	£127.00 plus £16.00 per additional £100.00 or part thereof of the sum due in excess of £300
	(3) exceeds £1,000 but does not exceed £3,000	£273.00 plus £12.00 per additional £100.00 or part thereof of the sum due in excess of £1,000
	(4) exceeds £3,000 but does not exceed £10,000	£568.00 plus £3.00 per additional £100.00 or part thereof of the sum due in excess of £3,000
	(5) exceeds £10,000	£841.00 plus £2.00 per additional £100.00 or part thereof of the sum due in excess of £10,000
3	On lodging an application under Article 23(1) of the Order, including one copy of the report: for each respondent	£195.00
	Where an application is made under Article 22 of the Order subsequent to an application under Article 23(1) of	

the Order the fee paid under Fee No 2 shall be reduced by the amount of the fee paid under Fee No 3.

4	On lodging an application for repossession of land	£673.00		
5	On lodging an application for restitution of goods	£216.00		
6	On lodging an application under rule 104	£26.00 £12.00		
		As from 1/10/2019	As from 1/4/2020	As from 1/4/2021
7	(1) On an application for a search in the register of judgments	£12.00	£20.00	£26.00
	(2) Additional payment where the search is carried out by an officer of the court	£14.00	£14.00	£14.00
8	On a copy, including a photographic copy, of all or any part of any document not otherwise provided for			
	(a) five sheets or less	£6.00		
	(b) for each sheet thereafter	£0.50		
9	For a certificate of satisfaction	£20.00		
10	On an administration order made under Article 80 of the Order		For every £1.00 of the money paid into the Office in respect of debts due to creditors, 10p	
	This fee is payable out of the money paid into the Office			
11	(i) For the removal, in accordance with an order of seizure under Article 31 of the Order, of goods, or taking steps to remove such goods to a place of deposit. This fee includes the reasonable expenses of feeding and caring for animals		The reasonable expenses thereof	
	(ii) For any sale by auction of property seized (to cover all the expenses of sale or incurred in connection therewith including valuation, advertisement, auctioneers' fees)		The reasonable expenses thereof	

(iii) Where goods are sold otherwise than at auction, for the valuation of the goods      The reasonable expenses thereof

## PART II

### **JUDGMENT ENFORCEMENT (RECOVERY OF ADMITTED DEBTS) RULES (NORTHERN IRELAND) 1985 Recovery of Certain Debts Without Judgment**

<i>Column 1</i> No. of Fee	<i>Column 2</i> Item	<i>Column 3</i> Amount of Fee
12	On lodging notice of intention to apply for recovery of debt under rule 8; in respect of each person to be served	£20.00
13	On lodging an application for recovery of debt under Article 95(1) of the Order; in respect of each debtor	£20.00
14	On the Chief Enforcement Officer's direction for recovery of an admitted debt under rule 16 (1): in respect of each debtor Where the admitted debt—	
	(1) does not exceed £300	39p in the £1.00 less £15.00 Minimum fee £14.00
	(2) exceeds £300 but does not exceed £1,000	£107.00 plus £16.00 per additional £100.00 or part thereof of the debt in excess of £300
	(3) exceeds £1,000 but does not exceed £3,000	£255.00 plus £12.00 per additional £100.00 or part thereof of the debt in excess of £1,000
15	On lodging a certificate of corresponding debt under rule 18: in respect of each debtor	£20.00
16	On the master's direction for enforcement of corresponding debt under rule 20(1): in respect of each debtor  Where the sum certified as corresponding debt-	
	(1) does not exceed £300	39p in the £1.00 less £15.00 Minimum fee £14.00

(2) exceeds £300 but does not exceed £1,000	£107.00 plus £16.00 per additional £100.00 or part thereof of the debt in excess of £300
(3) exceeds £1,000 but does not exceed £3,000	£255.00 plus £12.00 per additional £100.00 or part thereof of the debt in excess of £1,000”

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the Judgment Enforcement Fees Order (Northern Ireland) 1996 (S.R. 1996 No. 101) to increase the fees payable in respect of the enforcement of judgments under the Judgments Enforcement (Northern Ireland) Order 1981 and provide that remissions and exemptions are not available in respect of fees for copy documents, searches and inspections.

An Explanatory Memorandum and a Regulatory Impact Assessment have been produced and are available from the Northern Ireland Courts and Tribunals Service, Laganside House, 23-27 Oxford Street, Belfast BT1 3LA or online alongside this Statutory Rule at <http://www.legislation.gov.uk/nisr>.

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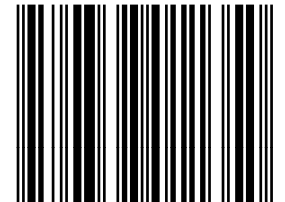
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