1973. No. 141

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MAGISTRATES' COURTS

Magistrates' Courts (Costs) Rules (Northern Ireland) 1972

RULES, DATED 30TH APRIL 1973 MADE BY THE SECRETARY OF STATE UNDER SECTION 23 OF THE MAGISTRATES' COURTS ACT (NORTHERN IRELAND) 1964.

I, THE RIGHT HONOURABLE WILLIAM WHITELAW, M.C., M.P., in exercise of the powers conferred on me by section 23 of the Magistrates' Courts Act (Northern Ireland) 1964(a) and section 1(1) of the Northern Ireland (Temporary Provisions) Act 1972(b) and of every other power enabling me in that behalf, on the recommendation of the Magistrates' Courts Rules Committee and after consultation with the Lord Chief Justice, do hereby make the following Rules:-

Citation and commencement

1. These Rules may be cited as the Magistrates' Courts (Costs) Rules (Northern Ireland) 1973 and shall come into operation on 1st June 1973.

Amendment of Rules of 1965

2. The provisions of the Magistrates' Courts Rules (Northern Ireland) 1965(c) specified in the first column of the Schedule are hereby amended to the extent specified in the second column thereof.

Saving for previous application of pre-existing scales

3. Nothing in these Rules shall affect any proceedings commenced before 1st June 1973 and the costs payable to solicitors and in respect of counsel shall be those payable immediately before the commencement of these Rules.

Dated this 30th day of April 1973.

W. S. I. Whitelaw. One of Her Majesty's Principal Secretaries of State

⁽a) 1964. c. 21 (N.I.).

SCHEDULE

Amendment of the Magistrates' Courts Rules (Northern Ireland) 1965

			ı Ireland) 1965
	Ame	ndment	
graphs:— "(2) The amount paid or possession is substore entry day in a fifty per centum of the of Schedule 5 or of the in Schedule 6, as approproperly incurred to day (3) Where proceed under section 78 of the recovery of premises.	of the courrenders coordance solicitor esolicitor opriate, to the of set ings for a the Act a	osts payable ed or both, e with this 's costs in c costs in c cogether with tlement. arrears of r re joined v	where the claim is as the case may be, Rule shall be either olumn (2) in Table 1 olumn (1) in Table 1 the plaintiff's outlay ent or for sums due with a claim for the
For Schedule 5 th Schedule:—			tuted the following
	Debt Pro	ceedings	
Table 1: Plaintiff	's Costs	(Undefend	DED! PROCEEDINGS)
In proceedings where decreed—	amount	Sol	licitor's costs2
(1)			(2)
(i) does not exceed £30			£7.00
(ii) exceeds £30	,		£13.00
² See Rule 41(2): Only able where defendant Judgments (Enforcement order und with this Table as if the	50% of t pays am nent) Act er Rule total an	costs specification due be (N.I.) 1969 91(2)(a) shape ount ordered	ed in column (2) pay- fore entry day. Part VII—Costs of all be in accordance d to be paid were the
Table 2: Plaintif	f's Cost	S (DEFEND	ED PROCEEDINGS)
,In actions where amount decreed—	Solicit	or's costs	Counsel's fee
(1)		(2)	(3)
(i) does not exceed £30 (ii) exceeds £30			£5.00 £10.00
	In Rule 41 there graphs:— "(2) The amount paid or possession is so before entry day in an fifty per centum of the of Schedule 5 or of the in Schedule 6, as approproperly incurred to de (3) Where proceed under section 78 of the recovery of premises, to ejectment proceeding For Schedule 5 the Schedule:— Table 1: Plaintiff In proceedings where decreed— (1) (i) does not exceed £30 i For proceedings treat See Rule 41(2): Only able where defendant Judgments (Enforcement order und with this Table as if the amount decreed. Costs enforcement order or one half of amount of Table 2: Plaintiff In actions where amount decreed— (1) (i) does not exceed £30 (ii) does not exceed £30	In Rule 41 there shall be graphs:— "(2) The amount of the copaid or possession is surrender before entry day in accordance fifty per centum of the solicitor of Schedule 5 or of the solicitor in Schedule 6, as appropriate, to properly incurred to date of set (3) Where proceedings for a under section 78 of the Act a recovery of premises, the apprito ejectment proceedings." For Schedule 5 there shall Schedule:— "SCHED **Debt Pro** Table 1: Plaintiff's Costs In proceedings where amount decreed— (1) (i) does not exceed £30 (ii) exceeds £30 1 For proceedings treated as under solicitor and the total and amount decreed. Costs of a conforcement order under Rule with this Table as if the total and amount decreed. Costs of a conforcement order or an attach one half of amount of costs approximately approx	Amendment In Rule 41 there shall be inserted graphs:— "(2) The amount of the costs payable paid or possession is surrendered or both, before entry day in accordance with this fifty per centum of the solicitor's costs in c of Schedule 5 or of the solicitor's costs in c in Schedule 6, as appropriate, together with properly incurred to date of settlement. (3) Where proceedings for arrears of r under section 78 of the Act are joined v recovery of premises, the appropriate Tabto ejectment proceedings." For Schedule 5 there shall be substischedule:— "SCHEDULE 5 Debt Proceedings Table 1: Plaintiff's Costs (Undefend Schedule:— (1) (i) does not exceed £30 (ii) exceeds £30 1 For proceedings treated as undefended see 2 See Rule 41(2); Only 50% of costs specific able where defendant pays amount due be Judgments (Enforcement) Act (N.I.) 1969 enforcement order under Rule 91(2)(a) she with this Table as if the total amount ordere amount decreed. Costs of a committal order enforcement order or an attachment of ear one half of amount of costs appropriate to a Table 2: Plaintiff's Costs (Defend. In actions where amount decreed— (1) (2) (i) does not exceed £30 (ii) does not exceed £30 (ii) does not exceed £30 (ii) does not exceed £30 (iii) does not exceed £30

Amendment Schedule 5 (contd.) In actions where amount claimed— (1) (2) (3) (i) does not exceed £9.00 £5.00 £30 (ii) exceeds £30 £18.50 £10.00" Schedule 6 For Schedule 6 there shall be substituted the following Schedule:— "SCHEDULE 6 Ejectment Proceedings* TABLE 1: PLAINTIFT'S COSTS Solicitor's costs1 Counsel's fee2
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Solicitor's costs ¹ Counsel's fee ²
(1)
£8.00
1 See Rule 41(2) and (3): Only 50% of solicitor's costs in colur (1) payable where defendant delivers up possession and, who appropriate, pays any arrears of rent or any sum due und section 78 of the Act before entry day.
No fee to be allowed for counsel where proceedings a undefended unless court otherwise orders.
This Table includes proceedings where a claim for rent or sums due under section 78 of the Act is joined with a claim if the recovery of premises.
*"Ejectment proceedings" means proceeding for the recovery premises to which section 76 of the Act applies (including cases permissive occupancy) and see Note 3.
TABLE 2: DEFENDANT'S COSTS
Solicitor's costs Counsel's fee
Softenor's costs Counser's rec
£14.00 £8.00 "

EXPLANATORY NOTE

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

These Rules make increases in the amounts recoverable for party and party costs in debt and ejectment proceedings in courts of summary jurisdiction.

1973. No. 142

The Medicines (Extension to Antimicrobial Substances) Order 1973

This Order has been made by the Secretaries of State respectively concerned with health in England and in Wales, the Secretary of State concerned with health and with agriculture in Scotland, the Secretary of State for Northern Ireland and the Minister of Agriculture, Fisheries and Food, acting jointly, in exercise of their powers under subsections (1)(b) and (2) of section 105 of the Medicines Act 1968

In pursuance of paragraph 11 of Schedule 4 of that Act this Order has been registered as a Northern Ireland Statutory Rule under the Statutory Rules Act (Northern Ireland) 1958. It is printed in full in the volume of United Kingdom Statutory Instruments for 1973 and has been numbered 367 in that series.