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STATUTORY RULES OF NORTHERN IRELAND

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**1997 No. 175**

**SUPREME COURT**

**Supreme Court 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 Supreme Court Fees (Amendment) Order (Northern Ireland) 1997 and shall come into operation on 1st April 1997.

**Fees to be taken in proceedings in the Supreme Court**

**2.** For Sections 1, 2 and 4 of the Schedule to the Supreme Court Fees Order (Northern Ireland) 1996(2) there shall be substituted the new Sections 1, 2 and 4 set out in the Schedule to this Order.

Dated 19th March 1997

*Mackay of Clashfern, C.*

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(1) 1978 c. 23  
(2) S.R. 1996 No. 100

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We concur,

Dated 19th March 1997

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

SCHEDULE

Article 2

SECTION 1

*Fees payable in every Department of the Supreme Court*

<i>Column 1 Item</i>	<i>Column 2 Fee £</i>	<i>Column 3 Document to be endorsed</i>
<b>A. COMMENCEMENT OF A CAUSE OR MATTER</b>		
1. On sealing—		
(a) (a) a Writ of Summons, or	150·00	The filed copy
(b) (b) an originating summons, except for the payment out of court of a sum not exceeding £1,500 or where a fee under section 6 is payable and where no other fee is specifically provided, or,	150·00	The filed copy
(c) (c) a writ of summons or an originating summons under Order 88, or	130·00	The filed copy
(d) (d) an originating notice of motion, except a notice of appeal to the High Court, or	150·00	The filed copy
(e) (e) a petition,	150·00	The filed copy

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except where a fee under section 4 or 6 of this Schedule is payable		
2. On sealing an originating summons—		
(a) (a) on approval of a minor settlement	35·00	The filed copy
(b) (b) under section 31 or 32(1) of the Administration of Justice Act 1970 for discovery before commencement of proceedings	30·00	The filed copy
3. On application for leave to apply for judicial review under Order 53. Provided that where the applicant obtains leave to move, credit for this fee is to be given against the fee payable in item 1.	40·00	The application
<b>B. PROGRESS OF PROCEEDINGS</b>		
<b>Interlocutory applications</b>		
4. On sealing a summons, a notice of appointment, or notice of motion	40·00	The notice or summons
(a) (a) On an <i>ex parte</i> application to a Judge for an injunction	45·00	

Column 1 <i>Item</i>	Column 2 <i>Fee £</i>	Column 3 <i>Document to be endorsed</i>
Ex parte docket or summons or affidavit in support of the application	10·00	The application
(b) On an application to a Master for payment out of monies invested on behalf of a minor		
(c) (c) On an <i>ex parte</i> application before a Master	20·00	The ex parte docket
<b>Entering and setting down for trial in court</b>		
6. On entering or setting down any cause or matter for trial, hearing or further consideration in court, except where it is otherwise provided for in this Schedule	80·00	The setting down docket
7. On setting down a cause on motion for judgment	40·00	The motion or summons
<b>Examination of witness before trial</b>		
8. On the examination of a witness before trial	15·00	The order
<b>Inquiries, trials and assessment of damages or interest by Master</b>		
(a) (a) On an inquiry, reference for trial or	35·00	The order, judgment or certificate

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assessment of damages before a Master or Admiralty Registrar		
(b) (b) On an assessment of interest	10·00 before a Master	The judgment
<b>Appeals to Judge in Chambers</b>		
10. On sealing a notice of appeal from a Master or Admiralty Registrar or District Judge to Judge in Chambers Appeals to High Court	a 50·00	The notice filed
11. On filing—	45·00	The notice filed
(a) a notice of appeal to the High Court, or		
(b) (b) a case stated or a special case for the opinion of the High Court pursuant to statute and setting the appeal or case down for hearing, or	a 40·00	The case
(c) (c) a notice of cross-appeal to the High Court, or	a 30·00	The notice filed
(d) (d) a respondent's notice of	a 30·00	The notice

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appeal to the High Court		
<b>C. ENFORCEMENT OF JUDGMENTS</b>		
<b>Application in aid of enforcement</b>		
12. On application for an attachment of earnings order to secure maintenance payments	an 10·00	The affidavit in support of the application
<b>Registration of Foreign and Commonwealth Judgments</b>		
(a) (a) Under Part II of the Administration of Justice Act 1920 or the Foreign Judgments (Reciprocal Enforcement) Act 1933—		
(i) on an <i>ex parte</i> application to register an incoming judgment or order	25·00	The affidavit in support of the application
(ii) on providing a certified copy of a judgment or order for use abroad	25·00	The affidavit in support of the application
(b) (b) Under the Maintenance Orders Act 1950 or the Maintenance and Affiliation Orders Act (Northern		

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Ireland) 1966—		
(i) on an <i>ex parte</i> application to register an outgoing order	5·00	The affidavit in support of the application
(ii) on processing an incoming registration	5·00	The affidavit or order
(c) (c) Under the Maintenance Orders	(Facilities for Enforcement) Act 1920—	
(i) on an <i>ex parte</i> application to register an outgoing order	25·00	The affidavit in support of the application
(ii) on processing an incoming registration	25·00	The affidavit or order
(d) (d) Under the Maintenance Orders (Reciprocal Enforcement) Act 1972—		
on an <i>ex parte</i> application to register an outgoing order	25·00	The affidavit or statement in support of the application
<b>Enforcement of Arbitration Award</b>		
14. On application for leave to enforce an arbitration award	an 25·00	The application
<b>D. MISCELLANEOUS PROCEEDINGS OR MATTERS</b>		
<b>Copy Documents</b>		
15. For photographic copy of or part of any document, whether or not issued as an	a 1·00	The requisition



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office copy, for each photographic sheet		
16. For any other copy document per page, whether or not issued as an office copy	1·00	The requisition
17. For examining a plain copy and marking the same as an office copy — for each sheet	2·00	The requisition
18. For a certified copy of a written judgment	7·00	The requisition
19. For any other stencilled copy and marking the same as an office copy, first copy per page	1·00	The requisition
<b>Bills of Sale</b>		
20. On filing—		
(a) (a) any document under the Bills of Sale (Ireland) Acts, 1879 and 1883, other than a fiat of satisfaction	15·00	The document filed
(b) (b) fiat of satisfaction	15·00	The application
(a) (a) result of a search in one name in any register or index under the custody of the Registrar of Bills of Sale For an official	10·00	The requisition for

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certificate of the search		
for every additional name if included in the same certificate	5·00	The requisition for search
(b) (b) for a continuation of search if made within one calendar month of date of official certificate (the result to be endorsed on each certificate)	5·00	The requisition for search
<b>Taking affidavits</b>		
(a) (a) On taking an affidavit or an affirmation or a declaration	5·00	The affidavit, affirmation or declaration
(b) (b) In addition thereto for each exhibit referred to and required to be marked	2·00	The affidavit, affirmation or declaration
<b>Searches</b>		
23. On a search of court documents, except where item 21 or 33 applies	5·00	The requisition
<b>Writs of Subpoena</b>		
24. On sealing a writ of subpoena per person	5·00	The requisition

SECTION 2

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*Fees payable in the Central Office*

Column 1 <i>Item</i>	Column 2 <i>Fee £</i>	Column 3 <i>Document to be endorsed</i>
<b>Admiralty</b>		
(a) (a) On lodging with the Marshal an instrument under Order 75, rule 5(1)	80·00	The praecipe
(b) (b) On the sale of a ship or goods—		
(i) for every £100 or fraction of £100 of the price up to £100,000	2·00	(Paid by Transfer)
(ii) for every £100 or fraction of £100 of the price exceeding £100,000	1·00	(Paid by Transfer)
(c) (c) On entering a reference for hearing by the Registrar	40·00	The notice for hearing
(d) (d) On retaining possession of a ship with or without cargo, or of a ship's cargo without a ship, per day	6·00	(Paid by Transfer)
<b>Court of Appeal</b>		
(a) (a) On filing a notice of appeal or case stated	150·00	The notice of appeal or requisition
(b) (b) On filing a notice of cross-appeal	40·00 or a respondent's notice under Order 59, rule 6(1)	The notice

SECTION 4

*Fees payable in the Bankruptcy and Companies Office*

Column 1 <i>Item</i>	Column 2 <i>Fee £</i>	Column 3 <i>Document to be endorsed</i>
<b>UNDER THE COMPANIES (NORTHERN IRELAND) ORDER 1986 OR THE INSOLVENCY (NORTHERN IRELAND) ORDER 1989</b>		
(a) (a) On sealing a petition for the winding up of a company by the	70·00	The petition

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court or for an order under Article 452 or 453 of the Companies (Northern Ireland) Order 1986		
(b) (b) On sealing a bankruptcy petition:		
(i) if presented by a debtor or by the personal representative of a deceased debtor	50·00	The petition
(ii) if presented by a creditor or other person	90·00	The petition
(c) (c) On sealing any other petition (one fee only is payable where more than one petition is presented in relation to a partnership)	70·00	The petition
(d) (d) On the hearing of a public examination	30·00	The application
(a) (a) On sealing any originating application	70·00	The application
(b) (b) On sealing any other application	35·00	The application

The fees in Items 30(a) and (b) are not payable on an application to set aside a statutory demand or an application by the Official Receiver when applying only in that capacity

#### **UNDER THE BANKRUPTCY ACTS (NORTHERN IRELAND) 1857 TO 1980**

31. On a notice of a sitting of the court or an application to the court except by the Official Receiver when applying otherwise than as receiver of the property of a bankrupt, deceased insolvent or arranging debtor	30·00	The notice, summons, affidavit or report
32. On a bond	10·00	The bond

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<b>MISCELLANEOUS</b>		
33. On any search in the office (including an inspection) other than by a bankrupt, director proposing a company an individual voluntary arrangement, or the Official Receiver when acting as such	5·00	The search docket

#### **EXPLANATORY NOTE**

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

This Order amends the Supreme Court Fees Order (Northern Ireland) 1996 so as to increase a number of fees payable in the Supreme Court.