



2011 CHAPTER 24

PART 9

MISCELLANEOUS

Funds in court: investment fees or expenses

98.—(1) Section 81 of the Judicature (Northern Ireland) Act 1978 (investment of funds in court) is amended as follows.

- (2) The existing provision becomes subsection (1) of that section.
- (3) After that subsection insert—

“(2) If the High Court or (as the case may be) the county court so orders, the power of the Accountant General under subsection (1)(a)(iii) or (iv) to invest a sum of money in the Court of Judicature or the county court in securities includes the power to pay out of that sum any fees or expenses which are—

- (a) incurred in connection with, or for the purposes of, investing that sum; and
- (b) of an amount or at a rate approved by the High Court or (as the case may be) the county court.

(3) A court shall not make an order under subsection (2) unless the court considers it necessary and proportionate in all the circumstances to do so.

(4) The High Court or (as the case may be) the county court may, on an application made to it, order that all or part of any sum paid by way of fees or expenses under subsection (2) be refunded where it appears to the court to be in the interests of justice to do so.”.

Changes to legislation:

There are currently no known outstanding effects for the Justice Act (Northern Ireland) 2011, Section 98.