

1979 No. 158

**JUDICATURE, NORTHERN IRELAND****ENFORCEMENT OF JUDGMENTS OFFICE****The Judgment Enforcement Fees Order (Northern Ireland) 1979***Made* . . . . . 30th April 1979*Coming into operation* . . . . . 21st May 1979

The Lord Chancellor, in exercise of the powers conferred on him by section 116 of the Judicature (Northern Ireland) Act 1978(a), after consultation with the Lord Chief Justice and with the concurrence of the Treasury, hereby makes the following order:—

1. This Order may be cited as the Judgment Enforcement Fees Order (Northern Ireland) 1979 and shall come into force on 21st May 1979.

2. In this Order, unless the context otherwise requires:

- (a) "the Act" means the Judgments (Enforcement) Act (Northern Ireland) 1969(b);
- (b) "the Judgment Enforcement Rules" means the Rules for the time being in force under section 117 of the Act;
- (c) "the Office" means the Enforcement of Judgments Office;
- (d) a rule or form referred to by number means the rule or form as numbered in the Judgment Enforcement Rules;
- (e) a fee or column referred to by number means the fee in the column so numbered in this Order.

3.—(1) The fees set out in column 3 of Schedule 1 to this Order shall be taken in the Office in respect of the matters provided for in column 2.

(2) Subject to any provision to the contrary in Schedule 1 to this Order the fees prescribed by this Order shall be payable by the party at whose instance the action for which the fee is prescribed is undertaken, and shall be payable before the action is undertaken.

4. The fees prescribed by this Order shall be taken in cash.

5. Where any question arises on the payment of any fee the Office may report the matter to the Lord Chancellor and obtain his directions.

6. Where it appears to the Lord Chancellor that the payment of any fee specified in Schedule 1 to this Order would, owing to the exceptional circumstances of the particular case, involve hardship, he may reduce or remit the fee in that case.

7. All fees payable in respect of any proceedings in the Office shall be payable in the prescribed manner and shall be applied in such manner as the Lord Chancellor, with the concurrence of the Treasury, may direct.

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(a) 1978 c. 23

(b) 1969 c. 30 (N.I.)

8. The Orders specified in Schedule 2 to this Order shall be revoked save as to any fee or other sum due or payable thereunder before the commencement of this Order.

Dated 26th April 1979.

*Elwyn-Jones, C.*

We concur,

*T. M. Cox*

*T. E. Graham*

Two of the Lords Commissioners  
of Her Majesty's Treasury

Dated 30th April 1979.

## SCHEDULE 1

## Article 3

## Fees

Column 1	Column 2	Column 3
<i>Fee No.</i>	<i>Description of Fee</i>	<i>Amount of Fee</i>
1	On lodging notice of intent to apply for enforcement under rule 6 in respect of each person to be served.	£2
2	<p>On lodging an application for enforcement under section 18 of the Act in respect of each respondent.</p> <p>Where the sum due on foot of the judgment—</p> <p>(1) does not exceed £200</p> <p>(2) exceeds £200 but does not exceed £1,000</p> <p>(3) exceeds £1,000 but does not exceed £3,000</p> <p>(4) exceeds £3,000 but does not exceed £10,000</p> <p>(5) exceeds £10,000</p>	<p>20p in the £1 Minimum fee £4</p> <p>£40 plus £5 per additional £100 or part thereof of the sum due in excess of £200. Maximum fee £75</p> <p>£75 plus £2.50 per additional £100 or part thereof of the sum due in excess of £1,000.</p> <p>£125 plus £1 per additional £100 or part thereof of the sum due in excess of £3,000.</p> <p>£195 plus 50p per additional £100 or part thereof of the sum due in excess of £10,000.</p>
3	<p>On lodging an application under section 19(1) of the Act, including one copy of the report; for each respondent.</p> <p>Where an application is made under section 18 of the Act subsequent to an application under section 19(1) of the Act the fee paid under fee No. 2, shall be reduced by the amount of the fee paid under fee No. 3.</p>	£20
4	On lodging an application for repossession of land.	£50

Column 1	Column 2	Column 3
<i>Fee No.</i>	<i>Description of Fee</i>	<i>Amount of Fee</i>
5	On lodging an application for restitution of goods.	£40
6	On lodging an application under rule 101 where the sum due on foot of the judgment— does not exceed £200 exceeds £200	£5 £10
7	On an application for a search (a) in the index, per name (b) in the register of judgments, per name  This fee includes the provision of one uncertified copy of each entry in the register up to 5, a fee being payable under fee No. 8 for each copy in excess of 5, or the provision of a report that there are no entries in the register.	50p £1
8	For a copy of any document, or for examining a plain copy and marking it as an office copy.	50p
9	On an Administration Order made under section 77E of the Act.  This fee is payable out of the money paid into the Office.	for every £1 of the money paid into the Office in respect of debts due to creditors 5p.
10	(i) For the removal, in accordance with a seizure order under section 33 of the Act, 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.  (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).  (iii) Where goods are sold otherwise than at auction, for the valuation of the goods.	The reasonable expenses thereof.  The reasonable expenses thereof.  The reasonable expenses thereof.

## SCHEDULE 2

## Article 8

## Orders Revoked

<i>Title</i>	<i>Reference</i>
The Judgment Enforcement (Fees) Regulations (Northern Ireland) 1970	S.R. & O (N.I.) 1970 No. 349
The Judgment Enforcement (Fees) (Amendment) Regulations (Northern Ireland) 1975	S.R. 1975 No. 327
The Judgment Enforcement (Fees) (Amendment) Regulations (Northern Ireland) 1976	S.R. 1976 No. 392
The Judgment Enforcement (Fees) (Amendment) Order (Northern Ireland) 1979	S.R. 1979 No. 59

## EXPLANATORY NOTE

*(This note is not part of the Order but is intended to indicate its general purport.)*

This Order replaces the Judgments Enforcement (Fees) Regulations (Northern Ireland) 1970 and provides a new scale of fees payable in connection with the enforcement of judgments through the Enforcement of Judgments Office under the Judgments (Enforcement) Act (Northern Ireland) 1969.