

1981 No. 195

**MATRIMONIAL CAUSES  
SUPREME COURT  
COUNTY COURTS**

**The Matrimonial Causes Fees Order (Northern Ireland) 1981**

*Made* . . . . . 15th June 1981

*Coming into operation* . . . . . 1st September 1981

The Lord Chancellor, in exercise of the powers conferred on him by section 116(1) and (4) of the Judicature (Northern Ireland) Act 1978(a) and sections 2 and 3 of the Public Offices Fees Act 1879(b), 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 Matrimonial Causes Fees Order (Northern Ireland) 1981 and shall come into operation on 1st September 1981.

2. In this Order—

- (a) expressions used in the Matrimonial Causes Rules (Northern Ireland) 1981(c), have the same meaning as in those Rules;
- (b) a rule referred to by number means the rule so numbered in the Matrimonial Causes Rules (Northern Ireland) 1981;
- (c) “the Supreme Court Fees Order” means the Supreme Court Fees Order (Northern Ireland) 1980(d);
- (d) “the County Court Fees Order” means the County Court Fees Order (Northern Ireland) 1979(e).

3. The fees set out in Column 2 of the Schedule to this Order shall be taken in all matrimonial proceedings, whether in the High Court or a divorce county court, in respect of the items set out in Column 1 of the Schedule.

4. Where it appears to the Lord Chancellor that the payment of any fee prescribed by this Order would, owing to the exceptional circumstances of the particular case, involve undue hardship, he may reduce or remit the fee in that case.

5.—(1) The fees prescribed by this Order shall be taken by adhesive or impressed stamp.

(2) The document to be stamped shall be the document indicated in Column 3 of the Schedule.

(3) Any adhesive or impressed stamp used for the purpose of this Order shall be of such design and character as the Commissioners of Inland Revenue may from time to time adopt.

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(a) 1978 c. 23

(b) 1879 c. 58

(c) S.R. 1981 No. 184

(d) S.R. 1980 No. 264

(e) S.R. 1979 No. 154, amended by S.R. 1980 Nos. 97 and 239

6. For the purposes of this Order—

(a) “impressed stamp” means an impressed Northern Ireland fee stamp; and

(b) “adhesive stamp” means—

(i) in relation to proceedings in the High Court, an adhesive Northern Ireland judicature fee stamp; and

(ii) in relation to proceedings in a divorce county court, an adhesive Northern Ireland county court fee stamp.

7. Every adhesive stamp used in pursuance of this Order shall be cancelled by the proper officer of the High Court or a divorce county court, as the case may be.

8. The fees taken under this Order shall be applied as the Lord Chancellor, with the concurrence of the Treasury, may direct.

9.—(1) Fees numbered 3, 5, 12, 14, 15, 16, 20, 25, 39, 47, 48, 61 and 62 in the Schedule to the Supreme Court Fees Order shall not apply to matrimonial proceedings in the High Court.

(2) Fees numbered 5, 14, 19, 23, 25, 28 and 29 in Schedule 1 to the County Court Fees Order shall not apply to matrimonial proceedings in a divorce county court.

Dated 21st May 1981.

*Hailsham of St. Marylebone, C.*

We concur,

*John Wakeham*

*J. A. Cope*

Two of the Lords-Commissioners  
of Her Majesty’s Treasury.

Dated 15th June 1981.

## SCHEDULE

## Fees to be taken in all Matrimonial Proceedings

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Item</i>	<i>Fee</i>	<i>Document to be stamped</i>
<i>Commencement of Proceedings</i>	£	
1. On sealing an originating summons	25.00	The filed copy
2. On presenting any petition other than a second petition presented with leave granted under rule 10(3)	40.00	The filed copy
<i>Applications for Ancillary Relief</i>		
3. On filing a notice of application for ancillary relief	10.00	The filed copy
<i>Writs of Subpoena and Witness Summonses</i>		
4. On sealing a writ of subpoena or issuing a witness summons, per person	2.00	The filed copy
<i>Copies of Documents</i>		
5. (a) For a copy of all or part of any document, issued as an office copy, for each page	0.25	The requisition
(b) For a certified copy of any document	0.50	The requisition
And for each page after the first, a further additional fee of	0.25	
(c) For a sealed and certified copy of any document	1.00	The requisition
And for each page after the first, a further additional fee of	0.25	
<i>Searches and Inspections</i>		
6. On a search (including inspection)	0.50	The search docket
7. For an official certificate of the result of a search in any index, for the first name	1.00	The requisition
For every other name	0.50	
<i>Miscellaneous</i>		
8. For signing, settling or approving an advertisement	3.00	The requisition
<i>Appeals</i>		
9. On filing a notice of appeal from a registrar to a judge in chambers	5.00	The filed copy
10. On entering any interlocutory appeal to the Court of Appeal	10.00	The notice of appeal
11. On entering any other appeal to the Court of Appeal	20.00	The notice of appeal or requisition

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Item</i>	<i>Fee</i>	<i>Document to be stamped</i>
<i>Taxation</i>		
12. On the taxation of a bill of costs: where the amount allowed does not exceed £5.00:	0.50	The bill
Where the amount allowed exceeds £5 but does not exceed £100, for every £1 or fraction thereof:	0.07	The bill
Where the amount allowed exceeds £100—		
(i) for the first £100	7.00	
(ii) for every £2 or fraction thereof over £100 .	0.07	The bill
13. On withdrawal of a bill of costs which has been lodged for taxation	Such fee (not exceeding the amount which would have been payable under Fee No. 13 if the bill had been allowed in full) as shall appear to the taxing master to be fair and reasonable Provided that the taxing master may in any case require the bill of costs to be stamped before taxation with the whole or part of the amount of fees which would be payable if the bill were allowed by him at the full amount thereof.	The bill
<i>Enforcement</i>		
14. On any application for enforcement of a matrimonial order	10.00	The filed copy

## EXPLANATORY NOTE

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

This Order fixes the fees to be taken in all matrimonial proceedings, whether in the High Court or a divorce county court.