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STATUTORY RULES OF NORTHERN IRELAND

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**1996 No. 105**

**The Matrimonial Causes Fees Order (Northern Ireland) 1996**

**Citation and commencement**

1. This Order may be cited as the Matrimonial Causes Fees Order (Northern Ireland) 1996 and shall come into operation on 1st April 1996.

**Interpretation**

2. In this Order—

- (a) expressions used in the Matrimonial Causes Rules (Northern Ireland) 1981(1), 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 County Court Fees Order” means the County Court Fees Order (Northern Ireland) 1996(2); and
- (d) Schedules 1 and 2 mean Schedules 1 and 2 respectively to this Order.

**Revocation**

3. The Orders specified in Schedule 2 are hereby revoked.

**Fees payable in all matrimonial proceedings**

4.—(1) The fees set out in column 2 of Schedule 1 shall be payable 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 that Schedule.

(2) If any question arises with regard to the payment of a fee, the proper officer or the chief clerk, as the case may be, may report the matter to the Lord Chancellor and obtain his directions thereon.

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

**Manner in which fees are to be taken**

5.—(1) Subject to Article 7 the fees prescribed in Schedule 1 shall be taken in cash.

(2) Payment of the appropriate court fee shall be endorsed on the relevant document (that is, the document indicated in column 3 of Schedule 1 by mechanical means or, where this means is not available, the person to whom the fee is paid shall endorse the relevant document by writing thereon the amount and date of payment and shall sign the endorsement.

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(1) S.R. 1981 No. 184; as amended by S.R. 1989 No. 246

(2) S.R. 1996 No. 103

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(3) Where fees are payable under this Order in respect of any item and there is no document in reference to that item on which an endorsement can be made, the person requesting the action to which the item relates shall make the request by a requisition or note in writing which shall be endorsed as to payment of the appropriate fee in accordance with paragraph (2).

**Application of fees**

6. All fees received by virtue of Schedule 1 shall, unless otherwise appropriated in aid, be paid into the Consolidated Fund.

**Disapplication of county court fees**

7. Fees numbered 5, 14, 17, 21, 23, 26 and 27 in Section 1 of Schedule 1 to the County Court Fees Order shall not apply to matrimonial proceedings in a divorce county court.

Dated 11th March 1996

*Mackay of Clashfern, C.*

We concur

Dated 14th March 1996

*Derek Conway*  
*Simon Burns*  
Two of the Lords Commissioners of Her  
Majesty's Treasury