

SCHEDULE

APPENDIX 2

PART IX

Miscellaneous Costs

INTERPLEADER PROCEEDINGS

The costs under Order 10 shall be in accordance with the foregoing Rules and Tables so far as appropriate and subject to any direction by the Judge.

INTERLOCUTORY APPLICATIONS

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| Instructions and drawing notice of motion or certificate of application for discovery, filing and serving copy | £100·00 |
| Attending before Judge or District Judge on notice or ex parte | £50·00 |
| Drawing up list of documents under Order 15 | £35·18 (or such other amount as the Judge or District Judge may allow). |

JUDGMENTS ENFORCEMENT (NORTHERN IRELAND) ORDER 1981: Part VIII

Costs of an enforcement order under Rule 4(2)(a) of Order 40 shall be in accordance with Part I, Table 3 as if the total amount ordered to be paid by instalments were the amount decreed.

Costs of a committal order or an attachment of earnings order made by the Court under the said Act shall be one-half the amount of the costs appropriate to an enforcement order.

*ENFORCEMENT OF COUNTY COURT DECREES
IN OTHER PARTS OF THE UNITED KINGDOM*

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| Applicant's costs of obtaining a certificate in respect of a money provision contained in a decree | £22·34 |
| And in addition £2·27 in respect of the affidavit together with the commissioner's fee (if any). | |

HIRE-PURCHASE

Where an order is made for recovery of possession of goods let under a hire-purchase agreement, the prima facie value of the goods for the purpose of costs shall be the total price less (a) the amount paid, and (b) the amount of arrears (if any) awarded by the decree or order, but this value may be varied by the Judge in his discretion and the costs shall be of the same amount as in proceedings for the recovery of a sum of money equal to the said value of the goods.

Status: This is the original version (as it was originally made).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

Where a decree for arrears of instalments and/or damages is coupled with an order for recovery of possession of goods the amount thereof shall be added to the value of the goods as ascertained as above for the purpose of fixing the amount of the costs.

In any proceedings on foot of a hire-purchase agreement for recovery of possession of goods or for arrears of instalments or for damages for breach of the said agreement where such proceedings are undefended the costs shall be in accordance with Part I, Table 3 and in other cases Part I, Table 1 or 2.

STATUTORY APPEALS AND APPLICATIONS

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| Notice of appeal or application, services and entry | £16·64 |
| Preparation for and attending hearing, instructing counsel (if any) and taking out order | £88·34 |
| Counsel's fees | £55·07 |

The above fees may be increased at the discretion of the Judge, who may, in the case of an application under the Administration of Estates Acts (Northern Ireland) 1955 or the Inheritance (Provision for Family and Dependents) (Northern Ireland) Order 1979 or the Administration of Estates (Northern Ireland) Order 1979 or any other statutory application not otherwise provided for, direct that the Equity scales shall apply in lieu of the above costs.

PROCEEDINGS FOR WRONGFUL INTERFERENCE WITH GOODS

Where an order is made for delivery of goods with or without an order for damages the value of the goods as assessed by the court shall be added to the damages, if any, for the purpose of ascertaining the appropriate costs scales.

Where an action for wrongful interference with goods is dismissed the defendant's costs shall be based upon the value of the goods claimed as assessed by the court or shall be such sum as the Judge may award.

COSTS OF THE DAY

If ordered by the Judge on the application of any party, the costs of the day in any proceeding shall be in the discretion of the Judge.