
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 426

**The Court of Judicature Fees (Amendment)
Order (Northern Ireland) 2016**

Amendments to the Court of Judicature Fees Order (Northern Ireland) 1996

2.—(1) The Court of Judicature Fees Order (Northern Ireland) 1996⁽¹⁾ is amended in accordance with paragraphs (2) to (6).

(2) After Article 2(b) insert—

“(c) “value of the fund” means the market value of the investments and cash holdings as certified by the Court Funds Office;

(d) “original value” means the sum that was lodged in court; and

(e) in Articles 4(1A) and 11(1)(ii) and (2) “payments out” do not include fees taken by the Accountant General under this Order.”.

(3) After Article 4(1) insert—

“(1A) Fee no. 60 shall not be taken from a fund in court held for the benefit of a minor if it would reduce the value of the fund below its original value less payments out.”.

(4) In Article 7—

(a) in paragraph (1) for “paragraph (4)” substitute “paragraphs (4) and (5)”; and

(b) after paragraph (4) insert—

“(5) If the High Court or the county court so orders, fees no. 58 to no. 60 (being fees payable in the Court Funds Office) shall be taken by the Accountant General out of funds in court which are held for the benefit of a minor or patient.”.

(5) After Article 10 insert—

“**11.**—(1) Paragraph (2) applies where—

(i) a minor becomes entitled to payment out in full of a fund in court; and

(ii) the value of the fund is less than its original value less payments out.

(2) Any fees taken under this Order shall be refunded up to an amount which brings the value of the fund up to the original value less payments out.”.

(6) In the Schedule—

(a) in the list of sections, after “Section 6 Fees payable in the Office of Care and Protection” insert “Section 7 Fees payable in the Court Funds Office”; and

(b) after section 6 insert the new section set out in the Schedule to this Order.

⁽¹⁾ [S.R. 1996 No. 100](#) to which relevant amendments are made by [S.R. 2007 No. 376](#); the Supreme Court Fees Order (Northern Ireland) 1996 has been renamed as a consequence of the renaming of the Supreme Court of Judicature of Northern Ireland by virtue of section 59 and paragraph 6 of Schedule 11 to the Constitutional Reform Act 2005 ([2005 c.4](#)).

Status: This is the original version (as it was originally made).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