
STATUTORY RULES OF NORTHERN IRELAND

2023 No. 167

FAMILY PROCEEDINGS

COURT OF JUDICATURE

COUNTY COURT

The Family Proceedings Fees (Amendment)
Order (Northern Ireland) 2023

Made - - - - 10th October 2023

Coming into operation 1st November 2023

The Department of Justice, in exercise of the powers conferred by section 116(1) of the Judicature (Northern Ireland) Act 1978(1) and now vested in it(2), makes the following Order with the concurrence of the Department of Finance(3).

The Department has, in accordance with section 116(1) of that Act, consulted with the Lady Chief Justice.

Citation and commencement

1. This Order may be cited as the Family Proceedings Fees (Amendment) Order (Northern Ireland) 2023 and shall come into operation on 1st November 2023.

Commencement Information

II Art. 1 in operation at 1.11.2023, see [art. 1](#)

Amendment of the Family Proceedings Fees Order (Northern Ireland) 1996

2. The Family Proceedings Fees Order (Northern Ireland) 1996(4) is amended as follows.

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- (1) 1978 c. 23 as amended by s.59 of the Justice Act (Northern Ireland) 2016 (2016 c. 21 (N.I.)).
(2) Article 15(1) and paragraph 6(h) of Schedule 17 to the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010 No. 976).
(3) Article 15(4)(b) of the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010 No. 976). Formerly the Department of Finance and Personnel, see the Departments Act (Northern Ireland) 2016 (2016 c. 5 (N.I.)), section 1(4) and Schedule 1.
(4) S.R. 1996 No. 495 to which relevant amendments are made by S.R. 2007 No. 381, S.R. 2007 No. 453, S.R. 2017 No. 17 and S.R. 2019 No. 178.

Status: Point in time view as at 01/11/2023.

Changes to legislation: There are currently no known outstanding effects for the The Family Proceedings Fees (Amendment) Order (Northern Ireland) 2023. (See end of Document for details)

3. For the Schedule substitute the new Schedule set out in the Schedule to this Order.

Commencement Information

- I2** Art. 2 in operation at 1.11.2023, see [art. 1](#)
- I3** Art. 3 in operation at 1.11.2023, see [art. 1](#)

Sealed with the Official Seal of the Department of Justice on 10th October 2023



Richard Pengelly
A senior officer of the Department of Justice

The Department of Finance concurs in the making of this Order.
Sealed with the Official Seal of the Department of Finance on 10th October 2023



Patrick Neeson
A senior officer of the Department of Finance

SCHEDULE

Article 3

Commencement Information

I4 Sch. in operation at 1.11.2023, see [art. 1](#)

“SCHEDULE

Article 4

Fees to be taken in Family Proceedings

<i>Column 1</i> <i>Item</i>	<i>Column 2</i> <i>Fee £</i>				<i>Column 3</i> <i>Document to be endorsed</i>
	As 01/11/23	from	As 01/10/24	from	
1. Commencement of Proceedings					
(a) On sealing an originating summons	284.00		310.00		The filed copy
(b) On sealing any petition other than a second petition presented with leave granted under rule 2.6(3) or (3A)—					
(i) When the petition is presented to the High Court	284.00		310.00		The filed copy
(ii) When the petition is presented to a county court	284.00		310.00		The filed copy
(c) On filing an answer/reply to a petition/answer	142.00		155.00		The filed copy
(d) Personal Application Fee for a matrimonial interview	71.00		77.00		The requisition

NOTE: Fees to include provision for the number of initial copies required for service

2. Entering and Setting Down for trial in court

On entering or setting down any cause or matter for trial, hearing or further

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<i>Column 1</i>	<i>Column 2</i>		<i>Column 3</i>
<i>Item</i>	<i>Fee £</i>		<i>Document to be endorsed</i>
consideration in court, except where it is otherwise provided for in this Schedule			
(a) High Court petition	427.00	465.00	The setting down docket
(b) County Court petition	356.00	388.00	The setting down docket
3. Certificate of Decree Absolute or Final Order			
On filing an application for a certificate of Decree Absolute or Making Conditional Order Final	107.00	117.00	The filed copy
4. Proceedings under the Children (Northern Ireland) Order 1995			
On filing an application or requesting leave under the following provisions of the Children (Northern Ireland) Order 1995—			
Parental Responsibility, Guardians, Article 8 orders			
(a) Article 7(1)(a) or (4), 10(1) or (2), 159(1);			The filed copy
(i) High Court	142.00	155.00	
(ii) County Court	107.00	117.00	
(b) Article 13(1) or 163(1)			The filed copy
(i) High Court	107.00	117.00	

<i>Column 1</i>	<i>Column 2</i>		<i>Column 3</i>
<i>Item</i>	<i>Fee £</i>		<i>Document to be endorsed</i>
(ii) County Court	82.00	89.00	
Financial Provision for Children			
(c) Paragraph 2(1), 3(1), 7(5), 16(1) of Schedule 1			The filed copy
(i) High Court	142.00	155.00	
(ii) County Court	107.00	117.00	
(d) Paragraph 2(4), 3(5), 6(6), 7(7), 7(8), 10(2), 12(2) or 13 of Schedule 1			
(i) High Court	107.00	117.00	
(ii) County Court	82.00	89.00	
Secure Accommodation			
(e) Article 44			
(i) High Court	142.00	155.00	
(ii) County Court	107.00	117.00	
Care, Supervision etc			
(f) Article 50			The filed copy
(i) High Court	142.00	155.00	

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<i>Column 1</i>	<i>Column 2</i>		<i>Column 3</i>
<i>Item</i>	<i>Fee £</i>		<i>Document to be endorsed</i>
(ii) County Court	107.00	117.00	
(g) Article 52(7), 57(8)(b), 58(1), (2), (3) or (4), paragraph 6(3) of Schedule 3 or paragraph 10(3) of Schedule 8			The filed copy
(i) High Court	107.00	117.00	
(ii) County Court	82.00	89.00	
Contact with child in care			
(h) Article 53(2), (3), (4) or (9)			The filed copy
(i) High Court	107.00	117.00	
(ii) County Court	82.00	89.00	
Placement abroad			
(i) Article 33(1)			The filed copy
(i) High Court	107.00	117.00	
(ii) County Court	82.00	89.00	
Education Supervision			
(j) Article 55(1)			The filed copy
(i) High Court	142.00	155.00	
(ii) County Court	107.00	117.00	

<i>Column 1</i>	<i>Column 2</i>		<i>Column 3</i>
<i>Item</i>	<i>Fee £</i>		<i>Document to be endorsed</i>
(k) Paragraph 5(2) or 7(1) of Schedule 4			The filed copy
(i) High Court	107.00	117.00	
(ii) County Court	82.00	89.00	
Child Assessment			
(l) Article 62(1)			The filed copy
(i) High Court	142.00	155.00	
(ii) County Court	107.00	117.00	
(m) Article 62(12)			The filed copy
(i) High Court	107.00	117.00	
(ii) County Court	82.00	89.00	
Emergency Protection			
(n) Article 63			
(i) High Court	0.00	0.00	
(ii) County Court	0.00	0.00	
Recovery of Children			
(o) Article 69			
(i) High Court	142.00	155.00	

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<i>Column 1</i>	<i>Column 2</i>		<i>Column 3</i>
<i>Item</i>	<i>Fee £</i>		<i>Document to be endorsed</i>
(ii) County Court	107.00	117.00	
Miscellaneous			
(p) Article 178			The filed copy
(i) High Court	107.00	117.00	
(ii) County Court	82.00	89.00	
(q) On commencing an appeal under Article 166 or Article 41(11)			
(i) to the County Court	107.00	117.00	
(ii) to the High Court	142.00	155.00	
(r) On any application brought under form C2			
(i) High Court	107.00	117.00	
(ii) County Court	82.00	89.00	

NOTE: Where an application requires leave of the court the relevant fee applies where leave is sought but no further fee may be charged if leave is granted and the application is made

5. Proceedings under the Family Homes and Domestic Violence (Northern Ireland) Order 1998

- (a) Application for a non-molestation or occupation order

<i>Column 1</i>	<i>Column 2</i>		<i>Column 3</i>
<i>Item</i>	<i>Fee £</i>		<i>Document to be endorsed</i>
(i) High Court	0.00	0.00	
(ii) County Court	0.00	0.00	
(b) On an ex-parte (emergency) application	0.00	0.00	
(c) On the full application	0.00	0.00	
(d) Application under the Family Homes and Domestic Violence Order not otherwise provided for	0.00	0.00	
 6. Application for Ancillary Relief			
On filing a notice of application for ancillary relief			The filed copy
(i) High Court	427.00	465.00	
(ii) County Court	356.00	388.00	
 7. Other Application in Proceedings			
(a) On any application in matrimonial proceedings or civil partnership proceedings, except where it is otherwise provided for in this Schedule, or is for an order by consent, made			
(i) to a Master	165.00	180.00	The filed copy
(ii) to a judge	213.00	232.00	The filed copy

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	<i>Item</i>	<i>Fee £</i>		<i>Document to be endorsed</i>
	(b) Ex-parte application to remove a petitioner's address from the petition	82.00	89.00	
8.	Writ of Subpoena & Witness Summonses			
	On sealing a writ of subpoena or issuing a witness summons per person	43.00	47.00	The filed copy
9.	Copies of Documents			
	On a copy, including a photographic copy, of all or any part of any document not otherwise provided for—			
	(a) five sheets or less	7.00	8.00	The requisition
	(b) for each sheet thereafter	0.50	0.50	The requisition
	(c) on a copy order/decreed including certified or sealed	15.00	16.00	
	(d) on a copy order/decreed produced online	13.00	14.00	
	(e) on an audio recording in any court proceedings – for each hour recorded or part thereof	37.00	40.00	
10.	Searches and Inspections			
	(a) On making a search in the index of Parental Responsibility Agreements kept in the Office of Care and Protection in accordance with regulations made under Article 7 of	28.00	31.00	The requisition

<i>Column 1</i>	<i>Column 2</i>		<i>Column 3</i>
<i>Item</i>	<i>Fee £</i>		<i>Document to be endorsed</i>
the Children (Northern Ireland) Order 1995 and, if appropriate providing a copy of an agreement			
(b) (i) On a search (including inspection) other than one for which a fee is prescribed under 10(a) above	28.00	31.00	The requisition
(ii) Additional fee where the search is carried out by an Officer of the court	15.00	16.00	
(c) For an official certificate of the result of a search in any index	43.00	47.00	The requisition
11. Miscellaneous			
(a) For signing, settling or approving an advertisement	43.00	47.00	The requisition
(b) On a request for certification of a pending action required under Rule 91(3) of the Land Registration Rules (Northern Ireland) 1994 or section 3(2) of the Registration of Deeds Act (Northern Ireland) 1970	98.00	107.00	The form to be certified
12. Appeals			
(a) On filing a notice of appeal from a Master to a judge in chambers	284.00	310.00	The filed copy
(b) On entering any appeal (including an interlocutory appeal) to the Court of Appeal	711.00	775.00	The notice of appeal or requisition

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13. Taxation		
(a) On lodgement of a bill of costs. Provided that where the bill is taxed credit for this fee is to be given against the final amount payable	5% of original bill	5% of original bill The bill
(b) On the taxation of a bill of costs—		
Where the amount allowed does not exceed £5	1.00	1.00 The bill
Where the amount allowed exceeds £5 but does not exceed £100, for every £1 or fraction thereof—	0.20	0.20 The bill
Where the amount allowed exceeds £100—		
(i) for the first £100	30.00	30.00 The bill
(ii) for every £1 or fraction thereof over £100	0.20	0.20 The bill
(c) On withdrawal of a bill of costs which has been lodged for taxation	In addition to 13(a) such fee (not exceeding the amount which would have been payable under Fee No. 13(b) if the bill had been allowed in full) as shall appear to the Taxing Master to be fair and	

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<i>Item</i>	<i>Fee £</i>	<i>Document to be endorsed</i>
	reasonable having regard to the amount of work done in the office	

NOTE: In addition to 13(b) 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.

14. Enforcement

On any application for enforcement of a matrimonial order or civil partnership order	213.00	232.00	The filed copy”
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EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Family Proceedings Fees Order (Northern Ireland) 1996 (S.R. 1996 No. 495) to increase the majority of fees payable in respect of specified family proceedings in the High Court and County Court over a two year period (9% increase effective from 1st November 2023, with a further 9% increase effective from 1st October 2024) and to include the fee for certification of a pending action for the purpose of registering it as a burden affecting land (Fee 11(b)).

An Explanatory Memorandum and a Regulatory Impact Assessment have been produced and are available from the Northern Ireland Courts and Tribunals Service, Laganside House, 23-27 Oxford Street, Belfast BT1 3LA or online alongside this Statutory Rule at <http://www.legislation.gov.uk/nisr>.

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