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STATUTORY RULES OF NORTHERN IRELAND

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**1998 No. 408**

**FAMILY PROCEEDINGS**

SUPREME COURT

COUNTY COURT

**The Family Proceedings Fees (Amendment)  
Order (Northern Ireland) 1998**

*Made - - - - 18th November 1998*

*Coming into operation 1st December 1998*

The Lord Chancellor, in exercise of the powers conferred on him by section 116(1) of the Judicature (Northern Ireland) Act 1978<sup>(1)</sup>, after consultation with the Lord Chief Justice and with the concurrence of the Treasury, hereby makes the following Order:—

**Citation and commencement**

1. This Order may be cited as the Family Proceedings Fees (Amendment) Order (Northern Ireland) 1998 and shall come into operation on 1st December 1998.

**Fees to be taken in family proceedings**

2. For the Schedule to the Family Proceedings Fees Order (Northern Ireland) 1996<sup>(2)</sup> there shall be substituted the new Schedule set out in the Schedule to this Order.

Dated 12th November 1998

*Irvine of Lairg, C.*

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<sup>(1)</sup> 1978 c. 23

<sup>(2)</sup> S.R. 1996 No. 495 as amended by S.R. 1997 No. 177

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We concur,

Dated 18th November 1998

*Jim Dowd*  
*Bob Ainsworth*  
Two of the Lords Commissioners of Her  
Majesty's Treasury

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## SCHEDULE

Article 2

## “SCHEDULE

Article 4

**Fees to be taken in Family Proceedings**

Column 1 <i>Item</i>	Column 2 <i>Fee £</i>	Column 3 <i>Document to be endorsed</i>
<i>Commencement of Proceedings</i>	155.00	The filed copy
(a) On sealing an originating summons		
(b) On sealing any petition other than a second petition presented with leave granted under rule 2.6(3)–	150.00	The filed copy
(i) When the petition is presented to the High Court		
(ii) When the petition is presented to a divorce county court	135.00	The filed copy
NOTE: Fees to include provision for the number of initial copies required for service		
<i>Entering and Setting Down for trial in court</i>	85.00	The setting down docket
2. On entering or setting down any cause or matter for trial, hearing or further consideration in court, except where it is otherwise provided for in this Schedule		
(a) High Court petition		
(b) County Court petition	75.00	The setting down docket
<i>Certificate of Decree Absolute</i>	20.00	The filed copy
3. On filing an application for a certificate of Decree Absolute		

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Column 1 <i>Item</i>	Column 2 <i>Fee £</i>	Column 3 <i>Document to be endorsed</i>
<i>Proceedings under the Children (Northern Ireland) Order 1995</i>	30.00	The filed copy
4. On filing an application or requesting leave under the following provisions of the Children (Northern Ireland) Order 1995–		
<i>Parental Responsibility, Guardians, Article 8 orders</i>		
(a) Article 7(1)(a) or (4), 10(1) or (2), 159(1);		
(b) Article 13(1) or 163(1)	20.00	The filed copy
<i>Financial Provision for Children</i>	30.00	The filed copy
(c) paragraph 2(1), 3(1), 7(5), 16(1) of Schedule 1		
(d) paragraph 2(4), 3(5), 6(6), 7(7), 7(8), 10(2), 12(2) or 13 of Schedule 1	20.00	
<i>Secure Accommodation</i>	No fee	
(e) Article 44		
<i>Care, Supervision etc</i>	55.00	The filed copy
(f) Article 50		
(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	20.00	The filed copy
<i>Contact with child in care</i>	20.00	The filed copy
(h) Article 53(2), (3), (4) or (9)		
<i>Placement Abroad</i>	20.00	The filed copy
(i) Article 33(1)		

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Column 1 <i>Item</i>	Column 2 <i>Fee £</i>	Column 3 <i>Document to be endorsed</i>
<i>Education supervision</i>	55.00	The filed copy
(j) Article 55(1)		
(k) paragraph 5(2) or 7(1) of Schedule 4	20.00	The filed copy
<i>Child Assessment</i>	55.00	The filed copy
(l) Article 62(1)		
(m) Article 62(12)	20.00	The filed copy
<i>Emergency Protection</i>	No fee	
(n) Article 63, 64 and 67		
<i>Recovery of children</i>	No fee	
(o) Article 69		
<i>Miscellaneous</i>	20.00	The filed copy
(p) Article 178		
(q) On commencing an appeal under Article 166 or Article 41(11)	36.00	
(i) to the county court		
(ii) to the High Court	45.00	
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.		
<i>Application for Ancillary Relief</i>	45.00	The filed copy
5. On filing a notice of application for ancillary relief		
<i>Other Application in Proceedings</i>	45.00	The filed copy
6. On any application in matrimonial proceedings, except where it is otherwise provided for in this Schedule, or is for an order by consent, made		
(i) to a master		
(ii) to a judge	50.00	The filed copy

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Column 1 <i>Item</i>	Column 2 <i>Fee £</i>	Column 3 <i>Document to be endorsed</i>
<i>Writ of subpoena &amp; Witness Summonses</i>	6.00	The filed copy
7. On sealing a writ of subpoena or issuing a witness summons per person		
<i>Copies of Documents</i>	1.00	The requisition
(a) Personal Applications		
(i) for a copy of all or part of any document, issued as an office copy for each page		
(ii) for a certified copy of any document per page	3.00	The requisition
(iii) for a sealed and certified copy of any document per page	3.50	The requisition
(b) Postal Applications in addition to the fees at 8(a) above for a copy of any of the documents referred to	5.00	The requisition
<i>Searches and Inspections</i>	20.00	The requisition
(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 the Children (Northern Ireland) Order 1995 and, if appropriate providing a copy of an agreement		
(b) On a search (including inspection) other than one for which a fee is	5.00	The requisition

Column 1 <i>Item</i>	Column 2 <i>Fee £</i>	Column 3 <i>Document to be endorsed</i>
prescribed under 9(a) above		
(c) For an official certificate of the result of a search in any index	5.00	The requisition
(d) Postal applications, in addition to the fee at 9(c) above	5.00	The requisition
<i>Miscellaneous</i>	5.00	The requisition
10. For signing, settling or approving an advertisement		
<i>Appeals</i>	50.00	The filed copy
(a) On filing a notice of appeal from a master to a judge in chambers		
(b) On entering any appeal (including an interlocutory appeal) to the Court of Appeal	155.00	The notice of appeal or requisition
<i>Taxation</i>	1.00	The bill
(a) On the taxation of a bill of costs: Where the amount allowed does not exceed £5		
Where the amount allowed exceeds £5 but does not exceed £100, for every £1 or fraction thereof—	0.15	
Where the amount allowed exceeds £100—		The bill
(i) for the first £100	22.00	The bill
(ii) for every £1 or fraction thereof over £100	0.15	
(b) 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. 12(a) if the bill had been	

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	allowed in full) as shall appear to the taxing master to be fair and reasonable	
NOTE: 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.		
<i>Enforcement</i>	35.00	The filed copy"
13. On any application for enforcement of a matrimonial order		

#### EXPLANATORY NOTE

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

This Order amends the Family Proceedings Fees Order (Northern Ireland) 1996 so as to increase a number of the fees to be taken in family proceedings, in the High Court and county courts.