EXPLANATORY MEMORANDUM TO

THE COUNTY COURT (AMENDMENT) RULES (NORTHERN IRELAND) 2020

S.R. 2020 No. 11

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department of Justice to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2. The Statutory Rule is made under Article 47 of the County Courts (Northern Ireland) Order 1980 and is subject to the negative resolution procedure.

2. Purpose

2.1. The Statutory Rule makes a minor, technical amendment to the County Court Rules (Northern Ireland) 1981 ("the principal Rules") to clarify when a fee is payable to a lawyer for preparing court-directed skeleton arguments.

3. Background

3.1. The principal Rules regulate the practice and procedure of the county courts and set out the legal costs payable to solicitors and barristers in county court proceedings in a fixed scale, known as scale or fixed costs.

4. Consultation

4.1. The County Courts Rules Committee, which is comprised of representatives from the Judiciary, the legal professions and Northern Ireland Courts and Tribunals Service were consulted prior to their making of the Rule.

5. Equality Impact

5.1. Given the minor and technical nature of ths amendment, no assessment under section 75 of the Northern Ireland Act 1998 was considered necessary.

6. Regulatory Impact

6.1. No Regulatory Impact Assessment was considered necessary. There is no impact on business, charities, voluntary bodies or the public sector.

7. Financial Implications

7.1. None.

8. Section 24 of the Northern Ireland Act 1998

8.1. The Department has considered its obligations under section 24 of the Northern Ireland Act 1998 and is satisfied that the Rules are compliant.

9. EU Implications

9.1. Not applicable.

10. Parity or Replicatory Measure

10.1. Not applicable.

11. Additional Information

11.1. Not applicable.