COUNTY COURTS

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COUNTY COURTS ACT (NORTHERN IRELAND), 1955.

Date of Commencement

ORDER DATED 12TH APRIL, 1957, MADE BY THE MINISTER OF HOME AFFAIRS UNDER SECTION TWENTY-NINE OF THE COUNTY COURTS ACT (NORTHERN IRELAND), 1955.

1957. No. 70 [NC]

I, The Right Honourable W. W. B. Topping, Q.C., Minister of Home Affairs for Northern Ireland, in exercise of the powers conferred on me by section twenty-nine of the County Courts Act (Northern Ireland), 1955 (hereinafter referred to as "the Act"), and of all other powers enabling me in that behalf, do hereby order as follows:—

1. All the remaining provisions of the Act not already in operation shall come into operation on the 1st day of May, 1957.

2. This Order may be cited as the County Courts Act (Northern Ireland), 1955, (Date of Commencement) Order (Northern Ireland), 1957.

Dated this 12th day of April, 1957.

W. W. B. Topping,
Minister of Home Affairs
for Northern Ireland.

County Court Costs Rules (Northern Ireland), 1957

1957. No. 65 [C]

Whereas the fees, costs and charges lawfully payable to counsel and solicitors in the county courts were increased generally by a direction duly given the 1st day of July, 1920,

And whereas the jurisdiction of the county courts in Northern Ireland was in certain respects extended by the County Court Jurisdiction Act (Northern Ireland), 1942, and certain of the scales of fees, costs and charges then in force were accordingly amended by a direction duly given by the Lord Chief Justice the 11th day of May, 1943,

And whereas by a like direction duly given the 29th day of February, 1944, the amounts prescribed by the scales of fees, costs and charges then in force were increased generally

And whereas by the County Courts Act (Northern Ireland), 1955, the jurisdiction of the county courts in Northern Ireland has in certain respects been further extended and accordingly it is expedient that appropriate provision be made for the relevant costs

And whereas it is expedient that certain other costs be increased and that appropriate provision be made for the fees and expenses of witnesses

Now we the undersigned members of the County Court Rules Committee duly appointed under sub-section (4) of section 18 of the said Act of 1955 do by virtue of the power vested in us by sub-section (1) of that section

Hereby make the Rules in the Schedule set forth and certify them under our hands and submit them to the Lord Chief Justice accordingly.

Bernard J. Fox
Wm. Johnson
J. G. Agnew
Charles Stewart
Turlough O'Donnell
James J. Napier
John L. Pinkerton
T. F. Glass
J. F. Caldwell

I approve these Rules which shall come into force on the first day of May, 1957.

Dated the 6th day of April, 1957.

MacDermott,
Lord Chief Justice of Northern Ireland.

SCHEDULE

1. In all actions, suits, matters and other proceedings commenced on or after the first day of May, 1957, there shall be payable—

(a) to counsel and solicitors, costs according to the scales and subject to the provisions hereinafter specified;

(b) to or in respect of witnesses, fees and expenses subject to the provisions hereinafter in Rule 7 specified.

2. The above-mentioned costs, fees and expenses shall be payable as well between party and party as between solicitor and client, exclusive of outlay properly and necessarily incurred.

3. So much of any Direction, Rule or Order now in force as fixes any such costs as are hereinafter prescribed is hereby revoked.

4. For Parts I, II, V, VIII and X of the Schedule of Costs appended to the County Courts (Ireland) Orders, 1890, there shall be substituted respectively the Parts set forth in Appendix A.

5. For the Order dated 19th February, 1878, fixing fees, costs and charges payable to counsel and solicitors in suits and proceedings within the equitable jurisdiction of the Court there shall be substituted the Order set forth in Appendix B.

6. For the scale of costs set forth in the Third Schedule to the Business Tenancies (Temporary Provisions) County Court Rules, 1952, there shall be substituted the scale set forth in Appendix C.

7. Notwithstanding anything in section 101 of the Civil Bill Courts (Ireland) Act, 1851, but without prejudice to any discretion exercisable by the Taxing Master of the Supreme Court under the Solicitors (Ireland) Act, 1849, there may be allowed to or in respect of witnesses such fees and expenses as the Judge shall in his discretion think just, so, however, that the total sum payable for fees and expenses to or in respect of any one witness shall not exceed £20.

8. In any suits or proceedings for which no scale of costs is prescribed the amount of costs shall be in the discretion of the Judge.

APPENDIX A

PART I

Ordinary Civil Bills

TABLE 1: PLAINTIFF'S COSTS

In actions where amount decreed	Drawing civil bill and copy	Instructions	Preparation for and attending hearing	Drawing Decree	If Counsel engaged		For each additional defendant	
					Preparing brief	Counsel's fee	Resident in same house	Not resident in same house
1	2	3	4	5	6	7	8	9
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
(i) does not exceed £10 ...	0 2 6	0 10 0	0 12 6	0 5 0	0 10 0	1 1 0	0 2 6	0 5 0
(ii) exceeds £10 but does not exceed £20	0 5 0	0 15 0	1 10 0	0 5 6	0 15 0	2 2 0	0 2 6	0 5 0
(iii) exceeds £20 but does not exceed £40	0 7 6	1 7 6	3 3 0	0 5 6	1 0 0	3 3 0	0 2 6	0 5 0
(iv) exceeds £40 but does not exceed £75	0 15 0	2 10 0	6 10 0	0 15 0	2 0 0	5 5 0	0 2 6	0 5 0
(v) exceeds £75 but does not exceed £100	0 17 6	4 4 0	10 0 0	0 18 6	3 0 0	6 6 0	0 2 6	0 5 0
(vi) exceeds £100 but does not exceed £150	1 0 0	6 0 0	12 0 0	1 0 0	4 0 0	7 7 0	0 2 6	0 10 0
(vii) exceeds £150 but does not exceed £225	1 0 0	10 0 0	18 0 0	1 0 0	4 0 0	8 8 0	0 2 6	0 10 0
(viii) exceeds £225	1 0 0	14 0 0	23 0 0	1 0 0	4 0 0	9 9 0	0 2 6	0 10 0

TABLE 2: DEFENDANT'S COSTS

In actions where amount claimed 1	Instructions 2	Preparation for and attending hearing 3	Drawing dismiss 4	Counterclaim or Set-off, if any 5	If Counsel engaged	
					Preparing brief 6	Counsel's fee 7
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
(i) does not exceed £10 ...	0 10 0	0 12 6	0 5 0	0 5 0	0 10 0	1 1 0
(ii) exceeds £10 but does not exceed £20	0 15 0	1 10 0	0 5 6	0 5 0	0 15 0	2 2 0
(iii) exceeds £20 but does not exceed £40	1 7 6	3 3 0	0 5 6	0 5 0	1 0 0	3 3 0
(iv) exceeds £40 but does not exceed £75 ...	2 10 0	6 10 0	0 15 0	0 5 0	2 0 0	5 5 0
(v) exceeds £75 but does not exceed £100	4 4 0	10 0 0	0 18 6	0 5 0	3 0 0	6 6 0
(vi) exceeds £100 but does not exceed £150	6 0 0	12 0 0	1 0 0	0 5 0	4 0 0	7 7 0
(vii) exceeds £150 but does not exceed £225	10 0 0	18 0 0	1 0 0	0 5 0	4 0 0	8 8 0
(viii) exceeds £225	14 0 0	23 0 0	1 0 0	0 5 0	4 0 0	9 9 0

Default Civil Bills

TABLE 3: PLAINTIFF'S COSTS

In actions where amount decreed 1	Drawing civil bill and copy 2	Instructions, entering, drawing affidavit and notice and attending hearing 3	Drawing decree 4	For each additional defendant	
				Resident in same house 5	Not resident in same house 6
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
(i) does not exeed £10 ...	0 2 9	0 14 0	0 4 0	0 2 6	0 5 0
(ii) exceeds £10 but does not exceed £20	0 4 0	1 8 0	0 5 6	0 2 6	0 5 0
(iii) exceeds £20 but does not exceed £40	0 7 6	3 7 0	0 6 9	0 2 6	0 5 0
(iv) exceeds £40 but does not exceed £75 ...	0 10 0	7 0 0	0 10 0	0 2 6	0 5 0
(v) exceeds £75 but does not exceed £100	0 15 0	9 10 0	0 15 0	0 2 6	0 5 0
(vi) exceeds £100 but does not exceed £150	0 15 0	9 10 0	0 15 0	0 2 6	0 10 0
(vii) exceeds £150	0 17 6	10 5 0	0 17 6	0 2 6	0 10 0

Where a case is defended the costs of the Plaintiff and Defendant respectively shall be in accordance with Tables 1 and 2.

Undefended Actions in Contract—Liquidated Claims. (*other than by Default Civil Bill*)

TABLE 4: PLAINTIFF'S COSTS

In actions where amount decreed	Drawing civil bill and copy	Instructions	Preparation for and attending hearing	Drawing decree	For each additional defendant	
					Resident in same house	Not resident same house
1	2	3	4	5	6	7
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
(i) does not exceed £10 ...	0 1 3	0 2 0	0 6 6	0 2 0	0 2 6	0 5 0
(ii) exceeds £10 but does not exceed £20	0 2 6	0 7 6	0 17 6	0 3 0	0 2 6	0 5 0
(iii) exceeds £20 but does not exceed £40	0 7 6	1 7 0	2 0 0	0 5 6	0 2 6	0 5 0
(iv) exceeds £40 but does not exceed £75	0 10 0	2 0 0	5 0 0	0 10 0	0 2 6	0 5 0
(v) exceeds £75 but does not exceed £100	0 15 0	3 0 0	6 10 0	0 15 0	0 2 6	0 5 0
(vi) exceeds £100 but does not exceed £150	0 15 0	3 0 0	6 10 0	0 15 0	0 2 6	0 10 0
(vii) exceeds £150	0 17 6	3 5 0	7 0 0	0 17 6	0 2 6	0 10 0

Extension of Decree

TABLE 5: PLAINTIFF'S COSTS

Where the amount for which the decree is extended	Drawing notice and copy	Instructions	Preparing affidavit	Attending hearing	Drawing Order	For each additional defendant	
						Resident in some house	Not resident in same house
1	2	3	4	5	6	7	8
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
(i) does not exceed £10 ...	0 2 9	0 4 0	0 2 9	0 7 0	0 4 0	0 2 6	0 5 0
(ii) exceeds £10 but does not exceeds £20	0 4 0	0 7 0	0 2 9	0 14 0	0 6 0	0 2 6	0 5 0
(iii) exceeds £20 but does not exceed £40	0 6 9	0 14 0	0 2 9	1 0 0	0 7 0	0 2 6	0 5 0
(iv) exceeds £40 but does not exceed £75	0 7 6	0 18 6	0 2 9	1 8 0	0 8 0	0 2 6	0 5 0
(v) exceeds £75 but does not exceed £100	0 10 0	1 8 0	0 2 9	1 18 0	0 10 0	0 2 6	0 5 0
(vi) exceeds £100 but does not exceed £200	0 12 6	1 10 0	0 2 9	2 0 0	0 12 6	0 2 6	0 10 0
(vii) exceeds £200	0 14 0	1 12 6	0 2 9	2 5 0	0 14 0	0 2 6	0 10 0

This table applies *mutatis mutandis* to the extension of a dismiss.

Ordinary Civil Bills—Title Jurisdiction

TABLE 6: PLAINTIFF'S COSTS *(to be calculated according to the valuation of the lands of the plaintiff or defendant, as the Judge may direct)*

Valuation	Drawing civil bill and copy	Instructions	Preparation for and attending hearing	Drawing decree	If Counsel engaged		For each additional defendant	
					Preparing brief	Counsel's fee	Resident in same house	Not resident in same house
1	2	3	4	5	6	7	8	9
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
(i) not exceeding £30	0 17 6	2 0 0	3 15 0	0 17 6	2 0 0	4 4 0	0 3 0	0 5 0
(ii) exceeding £30 but not exceeding £50	1 0 0	3 0 0	6 10 0	1 0 0	3 0 0	6 6 0	0 3 0	0 5 0
(iii) exceeding £50	1 0 0	5 0 0	7 0 0	1 0 0	5 0 0	7 7 0	0 3 0	0 5 0

The costs set out in this table may be increased by such amounts as the Judge may think proper, having regard to the difficulty or importance of the case or the sum of money involved.

Ordinary Civil Bills—Title Jurisdiction

TABLE 7: DEFENDANT'S COSTS (*to be calculated according to the valuation of the lands of the defendant or plaintiff, as the Judge may direct*)

Valuation	Instructions and attending hearing	Drawing Dismiss	If Counsel engaged	
			Preparing brief	Counsel's fee
1	2	3	4	5
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
(i) not exceeding £30 ...	3 15 0	0 17 6	2 0 0	4 4 0
(ii) exceeding £30 but not exceeding £50	6 10 0	1 0 0	3 0 0	6 6 0
(iii) exceeding £50	7 0 0	1 0 0	5 0 0	7 7 0

The costs set out in this table may be increased by such amounts as the Judge may think proper, having regard to the difficulty or importance of the case or the sum of money involved.

PART II

Remitted Actions

There shall be payable to solicitors and counsel the like costs as are prescribed by Tables 1 and 2 of Part I in respect of ordinary civil bills, except that—

(a) the amounts respectively specified in columns 2 and 3 of Table 1 shall be payable in respect of—
Taking the writ off the file, lodging it with the Clerk of the Crown and Peace, drawing and serving notice on the defendant, and all duties up to hearing;

(b) where the plaintiff has omitted or refused to lodge with the Clerk of the Crown and Peace the remitting order and writ of summons, the defendant's solicitor shall, if he complies with Rule 1 of Order XXVIII of these Orders, be entitled to a sum of £1 5s. 0d.;

(c) where no specified sum was claimed there shall be payable to defendant's counsel a fee of £7 7s. 0d;

(d) the costs may be increased by such amounts as the Judge may think proper, having regard to the sum of money involved or the difficulty or importance of the case,—

(i) as respects the plaintiff, where the sum decreed exceeds £300;

(ii) as respects the defendant, where the sum claimed exceeds £300, or where no specific sum was claimed.

PART V

Ejectments

(a) on Title (b) in respect of deserted premises (c) against permissive occupant

TABLE I: PLAINTIFF'S COSTS

1	Drawing civil bill and copy 2	Instructions 3	Preparation for and attending hearing 4	Verifying affidavit (if any) 5	Drawing decree 6	If Counsel engaged		For each additional defendant	
						Preparing brief 7	Counsel's fee 8	Resident in same house 9	Not resident in same house 10
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
(i) In respect of deserted premises; against permissive occupant. ... ... On Title where valuation does not exceed £30 ...	0 14 0	1 8 0	2 18 9	0 5 0	0 14 0	1 8 0	3 3 0	0 3 0	0 5 0
(ii) On Title where valuation exceeds £30 but does not exceed £50 ...	0 18 8	2 0 0	3 18 4	0 5 0	0 18 8	2 0 0	5 5 0	0 3 0	0 5 0
(iii) On Title where valuation exceeds £50.	1 0 0	3 0 0	8 0 0	0 5 0	1 0 0	4 10 0	7 7 0	0 3 0	0 5 0

In ejectments in respect of deserted premises there shall be payable the further sum of £1 8s. 0d. for attendance, drawing and obtaining Magistrate's Certificate.

Ejectments

(a) on Title (b) in respect of deserted premises (c) against permissive occupant

TABLE 2: DEFENDANT'S COSTS

1	Instructions and attending hearing 2	Drawing dismiss 3	If Counsel engaged	
			Preparing brief 4	Counsel's fee 5
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
(i) In respect of deserted premises; against permissive occupant. ... ... On Title where valuation does not exceed £30	2 18 9	0 14 0	1 8 0	3 3 0
(ii) On Title where valuation exceeds £30 but does not exceed £50	3 18 4	0 18 8	2 0 0	5 5 0
(iii) On Title where valuation exceeds £50	8 0 0	1 0 0	4 10 0	7 7 0

Ejectments

for overholding and for non-payment of rent

TABLE 3: PLAINTIFF'S COSTS

Where the annual rent—	Drawing civil bill and copy	Instructions	Preparation for and attending hearing	Verifying affidavit (if any)	Drawing decree	If Counsel engaged		For each additional defendant	
						Preparing brief	Counsel's fee	Resident in same house	Not resident in same house
1	2	3	4	5	6	7	8	9	10
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
(i) does not exceed £50	0 10 0	1 0 0	2 0 0	0 5 0	0 10 0	1 0 0	3 3 0	0 3 0	0 5 0
(ii) exceeds £50 but does not exceed £100	0 14 0	1 8 0	2 18 9	0 5 0	0 14 0	1 8 0	4 4 0	0 3 0	0 5 0
(iii) exceeds £100 but does not exceed £200	0 18 8	2 0 0	3 18 4	0 5 0	0 18 8	2 0 0	6 6 0	0 3 0	0 5 0
(iv) exceeds £200 ...	1 0 0	3 0 0	8 0 0	0 5 0	1 0 0	4 10 0	8 8 0	0 3 0	0 5 0

Ejectments

for overholding and for non-payment of rent

TABLE 4: DEFENDANT'S COSTS

Where the annual rent—	Instructions and attending hearing	Drawing dismiss	If Counsel engaged	
			Preparing brief	Counsel's fee
1	2	3	4	5
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
(i) does not exceed £50 ...	2 0 0	0 10 0	1 0 0	3 3 0
(ii) exceeds £50 but does not exceed £100	2 18 9	0 14 0	1 8 0	4 4 0
(iii) exceeds £100 but does not exceed £200	3 18 4	0 18 8	2 0 0	6 6 0
(iv) exceeds £200	8 0 0	1 0 0	4 10 0	8 8 0

PART VIII

Grant and Revocation of Probate or Administration

TABLE 1: PLAINTIFF'S COSTS.

Where personalty sworn at sum not exceeding £100 and the valuation of the lands—	Drawing civil bill and copy	Instructions	Drawing affidavit of next-of kin	Lodging copy affidavit of jurisdiction	Preparing affidavit of service	Preparation for and attending hearing	Drawing certificate and costs and attending taxation	Adjournment fees	If Counsel engaged		For each additional defendant
									Preparing brief	Counsel's fee	
1	2	3	4	5	6	7	8	9	10	11	12
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
(i) does not exceed £30 ...	0 14 0	1 9 6	1 1 0	0 9 6	0 7 0	5 5 0	0 9 6	1 9 6	1 15 0	5 5 0	0 7 6
(ii) exceeds £30 but does not exceed £50 ...	0 14 4	1 13 7	1 4 0	0 10 0	0 7 0	8 16 0	0 10 0	1 12 9	2 4 0	7 7 0	0 7 6
(iii) exceeds £50 ...	0 14 4	2 4 0	1 12 0	0 10 0	0 7 0	11 4 0	0 10 0	1 12 9	3 0 0	9 9 0	0 7 6

Grant and Revocation of Probate or Administration

TABLE 2: DEFENDANT'S COSTS.

Where personalty sworn at sum not exceeding £100 and the valuation of the lands—	Instructions	Preparation for and attending hearing	Drawing certificate and costs and attending taxation	If Counsel engaged	
				Preparing brief	Counsel's fee
1	2	3	4	5	6
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
(i) does not exceed £30 ...	1 9 6	5 5 0	0 9 6	1 15 0	5 5 0
(ii) exceeds £30 but does not exceed £50	1 13 7	8 16 0	0 10 0	2 4 0	7 7 0
(iii) exceeds £50	2 4 0	11 4 0	0 10 0	3 0 0	9 9 0

Grant and Revocation of Probate or Administration

TABLE 3: PLAINTIFF'S COSTS.

Where there are no lands and the personalty sworn at a sum—	Drawing civil bill and copy	Instructions	Drawing affidavit of next-of-kin	Lodging copy affidavit of jurisdiction	Preparing affidavit of service	Preparation for and attending hearing	Drawing certificate and costs and attending taxation	Adjournment fees	If Counsel engaged		For each additional defendant
									Preparing brief	Counsel's fee	
1	2	3	4	5	6	7	8	9	10	11	12
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
(i) not exceeding £200 ...	0 14 0	0 18 0	0 14 0	0 9 6	0 7 0	2 18 9	0 9 6	1 9 6	1 1 0	3 3 0	0 7 6
(ii) exceeding £200 but not exceeding £500	0 14 0	1 9 6	1 1 0	0 9 6	0 7 0	5 5 0	0 9 6	1 9 6	1 15 0	5 5 0	0 7 6
(iii) exceeding £500 but not exceeding £750	0 14 4	1 13 7	1 4 0	0 10 0	0 7 0	8 16 0	0 10 0	1 12 9	2 4 0	7 7 0	0 7 6
(iv) exceeding £750	0 14 4	2 4 0	1 12 0	0 10 0	0 7 0	11 4 0	0 10 0	1 12 9	3 0 0	9 9 0	0 7 6

Grant and Revocation of Probate or Administration

TABLE 4: DEFENDANT'S COSTS

Where there are no lands and the personalty sworn at a sum— 1	Instructions 2	Preparation for and attending hearing 3	Drawing certificate and costs and attending taxation 4	If Counsel engaged	
				Preparing brief 5	Counsel's fee 6
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
(i) not exceeding £200	0 18 0	2 18 9	0 9 6	1 1 0	3 3 0
(ii) exceeding £200 but not exceeding £500	1 9 6	5 5 0	0 9 6	1 15 0	5 5 0
(iii) exceeding £500 but not exceeding £750	1 13 7	8 16 0	0 10 0	2 4 0	7 7 0
(iv) exceeding £750	2 4 0	11 4 0	0 10 0	3 0 0	9 9 0

Grant and Revocation of Probate or Administration

TABLE 5

Where the Estate consists of personalty sworn at a sum exceeding £100 and lands not exceeding £75 in annual value, the costs shall be ascertained by reference to the foregoing Tables, numbered 1, 2, 3 and 4, in the following manner, that is to say:—

A. To solicitors—
   (a) The appropriate Table which yields the higher sum shall apply with the addition of one quarter of the relevant sum which would be yielded by the other appropriate Table;
   (b) Where each appropriate Table would yield the same sum, that sum shall be increased by one quarter.

B. To counsel—
   The fee payable shall be the higher of the two appropriate fees, with the addition of one guinea.

PART X

SECTION A Applications for Compensation for Criminal Injuries.
SECTION B Occasional Costs.
SECTION C Counsel's Fees.

SECTION A

Applications for Compensation for Criminal Injuries.

TABLE 1—APPLICANT'S SOLICITOR

Where the amount awarded	Preparing Information (where necessary) and preliminary notice and advice	Each copy of preliminary notice served or lodged	Preparing and signing notice of application	Each copy of notice of application served	Instructions and preparing proofs	Entering notice of application and attending hearing	Drawing affidavit where certified by the Judge	Drawing decree or order	Preparing brief (if any)
1	2	3	4	5	6	7	8	9	10
(i) does not exceed £10	The Judge shall allow such sum not exceeding £3 as he may think reasonable to cover all costs exclusive of outlay.								
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
(ii) exceeds £10 but does not exceed £50	1 15 0	0 2 0	0 6 0	0 2 0	0 17 6	1 15 0	0 6 0	0 6 0	1 0 0
(iii) exceeds £50 but does not exceed £200 ...	3 1 3	0 2 0	0 11 3	0 2 0	2 1 3	4 2 6	0 11 3	0 11 3	2 3 9
(iv) exceeds £200 but does not exceed £400	3 17 6	0 2 0	0 16 3	0 2 0	3 3 9	5 10 0	0 16 3	0 16 3	3 2 6
(v) exceeds £400 ...	4 5 0	0 2 0	1 0 0	0 2 0	3 15 0	6 0 0	1 0 0	1 0 0	3 10 0

The costs set out in this table may be increased by such amounts as the Judge may think proper having regard to the difficulty or importance of the case or the sum of money involved.

TABLE 2: APPLICANT'S COUNSEL

Where the amount awarded	Counsel's fee
1	2
	£ s. d.
(i) does not exceed £10	1 1 0
(ii) exceeds £10 but does not exceed £25	2 2 0
(iii) exceeds £25 but does not exceed £50	3 3 0
(iv) exceeds £50 but does not exceed £75	4 4 0
(v) exceeds £75 but does not exceed £100	5 5 0
(vi) exceeds £100 but does not exceed £200	7 7 0
(vii) exceeds £200 but does not exceed £300	8 8 0
(viii) exceeds £300 but does not exceed £400	9 9 0
(ix) exceeds £400	10 10 0

Where the amount awarded exceeds £400 the fee set out in line (ix), column 2, of this table may be increased by such amount as the Judge may think proper having regard to the difficulty or importance of the case or the sum of money involved.

TABLE 3—RESPONDENT'S SOLICITOR

Where the amount claimed	Instructions and preparing proofs	Attending hearing	Drawing affidavit where certified by the Judge	Drawing order	Preparing brief (if any)
1	2	3	4	5	6
(i) does not exceed £10 ...	The Judge shall allow such sum not exceeding £2 12s. 6d. as he may think reasonable to cover all costs exclusive of outlay.				
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
(ii) exceeds £10 but does not exceed £50	1 15 0	1 15 0	0 6 0	0 6 0	1 0 0
(iii) exceeds £50 but does not exceed £200	3 1 3	4 2 6	0 11 3	0 11 3	2 3 9
(iv) exceeds £200 but does not exceed £400	3 17 6	5 10 0	0 16 3	0 16 3	3 2 6
(v) exceeds £400	4 5 0	6 0 0	1 0 0	1 0 0	3 10 0

The costs set out in this table may be increased by such amounts as the Judge may think proper having regard to the difficulty or importance of the case or the sum of money involved.

TABLE 4: RESPONDENT'S COUNSEL

Where the amount claimed 1		Counsel's fee 2		
		£	s.	d.
(i)	does not exceed £10	1	1	0
(ii)	exceeds £10 but does not exceed £25	2	2	0
(iii)	exceeds £25 but does not exceed £50	3	3	0
(iv)	exceeds £50 but does not exceed £75	4	4	0
(v)	exceeds £75 but does not exceed £100	5	5	0
(vi)	exceeds £100 but does not exceed £200	7	7	0
(vii)	exceeds £200 but does not exceed £300	8	8	0
(viii)	exceeds £300 but does not exceed £400	9	9	0
(ix)	exceeds £400	10	10	0

Where the amount claimed exceeds £400 the fee set out in line (ix), column 2, of this table may be increased by such amount as the Judge may think proper having regard to the difficulty or importance of the case or the sum of money involved.

SECTION B

Occasional Costs

		£	s	d
1.	For writing letter before action, where the sum decreed exceeds £50 and the letter is written at least one week before commencement of proceedings	0	5	0
2.	For preparing, presenting, etc., the certificate of the sum due on foot of any decree, dismiss or order	0	2	6
3.	For all proceedings as to re-execution of ejectment decrees under 27 and 28 Vict., c.99, s.44	1	0	0
4.	For attending to file affidavit under 27 and 28 Vict., c.99, ss.44 and 53	0	2	6
5.	For preparing each necessary affidavit, not exceeding 5 folios	0	5	0
6.	For each additional folio	0	1	6
7.	On adjournment of case to subsequent sessions—Ejectments	1	0	0
	Ordinary civil bills where the amount recovered or claimed does not exceed £20	0	9	0
	exceeds £20 but does not exceed £40	0	13	0
	„ £40 „ „ „ „ £75	1	0	0
	„ £75 „ „ „ „ £100	1	2	6
	„ £100	1	5	0
8.	For preparing recognizance on appeal	0	6	8

SECTION C

Counsel's Fees

1. On the adjournment of any action or other proceeding brought by virtue of any of the following sections of the County Courts Act (Northern Ireland), 1955, that is to say, sections 1, 2, 3, 4, 5, 7, 8 and 10, the Judge shall have discretion to allow a fee to Counsel.
2. In any proceeding under the Town Tenants (Ireland) Act, 1906, there shall be payable to Counsel the like fees as are payable under section A of this Part.
3. Where in any case Counsel travelling to attend a Court more than 25 miles distant from the General Post Office, Belfast, would be entitled on his brief to a fee of seven guineas or more, he shall be entitled to one guinea in addition.

APPENDIX B

EQUITY SUITS AND PROCEEDINGS

1. The following suits and proceedings shall for the purpose of determining costs be deemed to be Equity matters, that is to say:—

(i) All suits by creditors, legatees (whether specific, pecuniary or residuary), devisees (whether in trust or otherwise), heirs-at-law and next-of-kin.

(ii) All suits for the execution of trusts.

(iii) All suits for the administration of estates.

(iv) All suits for foreclosure or sale of lands, or for redemption of or enforcing any charge or lien upon lands.

(v) All suits for the specific performance of any agreement for the sale, purchase or letting of any property, or for the reforming, delivering up or cancelling of any such agreement.

(vi) All suits for the setting aside, cancelling, or reforming any deed, agreement, assurance, or conveyance of any property on the ground of fraud or mistake.

(vii) All suits under the Married Women's Property Acts, 1882 to 1907.

(viii) All suits for the taking of any partnership account, or for the dissolution or winding-up of any partnership.

(ix) All suits for partition.

(x) All suits by a landlord against a tenant to stay waste, whether or not an account is prayed for.

(xi) All suits under the Trustee Acts.

(xii) All proceedings under the Settled Land Acts.

(xiii) All suits relating to the maintenance or advancement, or for the protection of the property, of an infant.

(xiv) All suits for orders in the nature of injunctions.

(xv) All applications by persons claiming to be interested under a deed, will or other written instrument, for the determination of any question of construction arising thereunder, and for a declaration of the rights of any persons interested.

2. For the determination of costs in Equity matters there shall be four scales which may be known respectively as Scale 1, Scale 2, Scale 3 and Scale 4 and shall, subject to the succeeding rules of this Appendix, be applied as follows, that is to say:—

Where the value of the personalty and lands	The Scale applicable shall be
Does not exceed £200	Scale 1
Exceeds £200 but does not exceed £500	Scale 2
Exceeds £500 but does not exceed £750	Scale 3
Exceeds £750	Scale 4

and the costs in the Schedule hereto shall apply accordingly.

3. For the purpose of ascertaining the appropriate scale the value of any lands not sold in the course of the proceedings shall, subject to any direction of the Judge, be taken to be forty times their valuation under the Valuation Acts.

4. Notwithstanding the foregoing provisions of this Appendix, the Judge may in any case direct that any of the scales prescribed in this Appendix be wholly or partly applicable for the determination of the costs of any party thereto.

5. Where any costs or expenses have not been provided for in the said Schedule, or where, having regard to the work actually performed, the amounts so provided for are in the opinion of the Judge inadequate, he may for any particular case make a special order allowing such costs and expenses as he may think just.

6. The value of the subject matter of any suit for the purpose of stamp duties and for the allowance of costs and expenses shall in case of dispute be assessed by the Judge.

7. Where a suit is terminated by settlement or other arrangement at any time before the final decree, the Judge may order such allowance in respect of costs and expenses of either or any of the parties as in his opinion, having regard to the nature and circumstances of the case, may seem just.

8. The costs of separate appearances by counsel or solicitor for parties whose interests are not antagonistic shall not be allowed, nor shall more than one set of costs be allowed for any parties for whom the Judge is of opinion that separate appearances were unnecessary.

9. Costs as between party and party shall in all cases be taxed by the Clerk of the Crown and Peace or Registrar when directed by the Judge, and as between solicitor and client on requisition. Every such taxation shall be subject to review by the Judge wholly or in part.

10. With respect to any costs and allowances which are discretionary, the officer on taxation shall take into consideration the amount or value of the subject matter of the suit and the general nature and circumstances of the particular case.

SCHEDULE TO APPENDIX B

Counsel's Fees

	Scale 1	Scale 2	Scale 3	Scale 4
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
For advising proceedings or defence, settling the equity civil bill or petition and advising proofs. ...	2 2 0	3 3 0	4 4 0	5 5 0
On the hearing of every equity civil bill or petition—				
Where the value does not exceed £100	3 3 0			
Where the value exceeds £100 ...	4 4 0	6 6 0	7 7 0	8 8 0
In suits in which the primary relief sought is of course, and involves a reference for account or inquiry, and a second decree, no fee shall be allowed in respect of the first hearing unless the Judge, having regard to any question of difficulty which may arise in the course of the suit, otherwise directs.				
In every suit for equitable relief, where the right to such relief is not contested, the fees allowed on the hearing shall, unless the Judge otherwise directs, not exceed ...	3 3 0	4 4 0	4 4 0	6 6 0

The allowance of fees for Counsel which are not hereinbefore provided for shall be governed by the nature, circumstances and general requirements of each case; and, save as herein provided, no fee to Counsel shall be allowed on taxation unless by special direction in writing signed by the Judge, which direction must in all cases be applied for at the time of Counsel's appearance; and no costs of Counsel shall be allowed in any case which in the opinion of the Judge is not fit for such allowance.

In all cases in which a fee to Counsel is allowed or directed by the Judge, there shall be produced to the officer on taxation—

(a) the brief or document in respect of which such fee is charged;

(b) where requisite, a memorandum of the allowance or direction of the Judge; and

(c) Counsel's receipt;

otherwise the items for the fee and all relevant instructions shall be disallowed, or the taxation shall be adjourned without costs of attendance, at the discretion of the officer.

SOLICITORS' COSTS

Percentage or Commission in Lieu of Solicitors' Costs in Suits by Civil Bill or Petition

If in any suit, having regard to its nature and circumstances, it appears to the Judge, on the application of the solicitor having carriage of the proceedings, or of the solicitor for any party interested in the suit, that it is expedient that a percentage or commission should be allowed as remuneration to the solicitor or solicitors for his or their services in such suit, in lieu of ordinary costs therein, he may make such allowance, subject to the following provisions, that is to say :—

(a) The percentage or commission in any such suit shall be calculated upon the value of the subject matter of the suit and shall not exceed £5 per cent. on such value.

(b) The application for such allowance may be made at any hearing of a suit or by interlocutory application.

(c) In case of the death or change of the solicitor on whose application such allowance has been made, or for any other cause, the Judge may subsequently vary such direction, and order that any costs properly and necessarily incurred in the suit are to be ascertained in the usual way.

(d) The allowance of a percentage or commission in lieu of costs shall not prejudice or restrict the exercise by the Judge of the jurisdiction to allow or disallow costs to any party in any suit.

SOLICITORS' COSTS

Where the principle of Allowance by Percentage or Commission does not apply

		Scale 1	Scale 2	Scale 3	Scale 4
		£ s. d.	£ s. d.	£ s. d.	£ s. d.
1	For taking instructions for civil bill or defence, advising thereon, taking instructions for hearing, advising proofs, and attending and instructing counsel when employed	1 8 0	2 16 0	3 15 0	6 11 0
2	For drawing bill or statement of defence and copy for service, and instructing counsel when employed	0 14 0	1 8 0	1 17 0	2 16 0
3	For entering bill or defence, and attending the hearing, with or without counsel, and for all other costs (save brief for counsel) up to the decree, and taking out same	2 16 0	5 12 0	7 9 0	9 7 0
4	In cases of account or inquiry, or further hearing or decree, in addition to the above: (i) For attending with or without counsel, and in case of the plaintiff entering the suit for further hearing, taking out the decree or dismiss, and for all other costs (save costs in office and brief for counsel) up to the conclusion of the suit ...	2 16 0	5 12 0	7 9 0	9 7 0
	(ii) For instructions and attendances, drawing, engrossing and filing an affidavit for the purpose of payment of money, transfer of stock, or deposit of security under the Trustee Acts, obtaining the certificate, paying in the money, transferring the stock, or depositing the security, and all other costs	2 16 0	5 12 0	7 9 0	9 7 0

		Scale 1	Scale 2	Scale 3	Scale 4
(Cont.) 4		£ s. d.	£ s. d.	£ s. d.	£ s. d.
	(iii) For instructions and attendances, drawing, engrossing, and filing petition for order to invest, notice and copies thereof, attending the Judge, and taking out the order to invest, and all other costs of and incident to investment	2 16 0	5 12 0	7 9 0	9 7 0
	(iv) For instructions and attendances, drawing, and filing petition for order to pay out or distribute a fund or the income thereof, entering and attending the hearing, and taking out the order, and all other costs ...	2 16 0	5 12 0	7 9 0	9 7 0
	(v) For each copy of a petition to pay out or distribute actually served, including the notice of hearing ...	0 7 0	0 7 0	0 7 0	0 7 0
	(vi) For instructions for, and drawing, engrossing, and filing a petition relating to the maintenance or advancement or for the protection of the property of an infant, entering and attending the hearing, and taking out the order, and all other costs ...	2 16 0	5 12 0	7 9 0	9 7 0
	(vii) For each copy of such petition actually served including the notice of hearing ...	0 7 0	0 7 0	0 7 0	0 7 0
	Costs in the Office of the Clerk of the Crown and Peace.				
5	To the Solicitor for the plaintiff, petitioner, or party having the carriage of the proceedings: In all cases of account or inquiry directed by any decree or order to be taken or made before any officer of the Court, and in lieu of all				

		Scale 1	Scale 2	Scale 3	Scale 4
(Cont.) 5		£ s. d.	£ s. d.	£ s. d.	£ s. d.
	other costs incurred between the primary decree and the termination of the taking of such account, or the making of such inquiry, there shall be allowed to the solicitor for the plaintiff, petitioner, or party having the carriage of the proceedings, as the case may be, a sum not exceeding—				
	Where the value of the subject matter of the suit—				
	does not exceed £100 ...	5 12 0			
	exceeds £100	8 8 0	14 0 0	29 17 0	37 7 0
6	To the solicitor for the defendant or respondent:				
	In all cases of account or inquiry directed by any decree or order to be taken before the officer of the court, and in lieu of all other costs incurred between the date of the primary decree and the termination of the taking of such account or the making of such inquiry, there shall be allowed to each party (other than the party having carriage of the proceedings) on the taxation of the costs, regard being had to the work properly performed, such sum as the officer thinks reasonable or just, not exceeding the allowance to the plaintiff, petitioner or other party having carriage of the proceedings, hereinbefore provided.				
	OCCASIONAL COSTS				
	Letters				
7	For writing a letter a reasonable time before the institution of proceedings ...	0 7 0	0 7 0	0 7 0	0 7 0

		Scale 1	Scale 2	Scale 3	Scale 4
		£ s. d.	£ s. d.	£ s. d.	£ s. d.
	Receivers				
8	When a Receiver is appointed by or under a decree or order of the Court:—				
	For all costs in relation to the completion of the security and the appointment of the Receiver	2 16 0	5 12 0	7 9 0	9 7 0
	For instructions for the account of a Receiver, drawing and preparing the same, and all attendances to lodge vouch and pass the same, and the distribution or application of the balance	2 16 0	5 12 0	7 9 0	9 7 0
	Interlocutory Applications and Attendances				
9	For attending before the Judge on any interlocutory application and instructing counsel when employed, when certified for by the Judge	0 14 0	1 8 0	1 17 0	2 16 0
10	For each proper and necessary attendance upon the Judge, or by his direction, in relation to any matter in respect of which no allowance is included, or provision made by any other item herein contained ...	0 14 0	1 8 0	1 17 0	2 16 0
11	For attending taxation of costs	0 9 0	0 9 0	0 9 0	0 9 0
	Briefs, Drafts and Copies				
12	For brief for counsel of necessary documents, 1/- per folio, but in no case to exceed	2 16 0	2 16 0	3 15 0	3 15 0
13	For drawing any affidavit, account, order or other document necessary or proper for the purpose of any proceeding, or which may be directed by the Judge, and in respect of which no allowance is included or provision made by any other item herein contained, per folio ...	0 1 0	0 1 0	0 1 0	0 1 0

		Scale 1			Scale 2			Scale 3			Scale 4		
	Briefs, Drafts and Copies (Continued)	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
14	For filling up any bond, recognizance or document of a like nature to which the forms appended to the County Court Rules for the time being in force, or other common forms, are applicable, in respect of which no allowance is included or provision made by any other item herein contained	0	7	0	0	7	0	0	7	0	0	7	0
15	For copies of all necessary documents used in Court or required by the Judge, per folio	0	0	8	0	0	8	0	0	8	0	0	8
	No such document to be allowed on taxation unless marked by the officer as used.												
	Costs												
16	For drawing costs and copy, if under £10	0	4	0	0	7	0	0	19	0	1	8	0
	If £10 or over	0	7	0	0	14	0	0	19	0	1	8	0
	The officer on taxation shall disallow any item comprised under the heading "Occasional Costs" where under the provisions of this schedule a lump sum is allowed to include all costs, unless there is produced the Judge's certificate allowing such item.												

APPENDIX C

Business Tenancies (Temporary Provisions) County Court Rules, 1952

Remuneration of Solicitors and Counsel

P.L.V. of the tenement	On application for renewal of tenancy		On all other applications	
	Solicitor	Counsel	Solicitor	Counsel
not exceeding £25	5 5 0	4 4 0	4 4 0	2 2 0
exceeding £25 but not exceeding £50	8 8 0	6 6 0		
exceeding £50 but not exceeding £75	11 11 0	8 8 0	5 5 0	3 3 0
exceeding £75 but not exceeding £100	13 13 0	10 10 0	6 6 0	4 4 0

Where the P.L.V. exceeds £100, or in cases of unusual difficulty or complexity, such additional fee as the Court may allow.

County Court Fees Order (Northern Ireland), 1957

1957. No. 64 **[C]**

Whereas the fees now authorised to be taken in county courts are those fixed by (amongst other instruments) an Order made by the Lord Chief Justice and operative as from the 1st day of May, 1926, as amended by a further like Order made the 11th day of May, 1943,

And whereas by the County Courts Act (Northern Ireland), 1955, the jurisdiction of the county courts has in certain respects been extended

And whereas it is expedient that fees be fixed in respect of certain proceedings authorised by that Act to be taken and that the first above-mentioned Order be further amended accordingly

Now we the undersigned members of the County Court Rules Committee duly appointed under sub-section (4) of section 18 of that Act do by virtue of the power vested in us by sub-section (1)