1991 No. 122

MAGISTRATES' COURTS

The Magistrates' Courts Fees (Amendment) Order (Northern Ireland) 1991

Made . . . . . *18th March 1991*

Coming into operation . . *8th April 1991*

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

1. This Order may be cited as the Magistrates' Courts Fees (Amendment) Order (Northern Ireland) 1991 and shall come into operation on 8th April 1991.

2. For Schedules 1 and 2 to the Magistrates' Courts Fees Order (Northern Ireland) 1989(**b**) there shall be substituted the new Schedules 1 and 2 set out in the Schedule to this Order.

Dated 18th March 1991 *Mackay of Clashfern,* C.

We concur,

Thomas Sackville
Irvine Patrick

Dated 25th March 1991 Two of the Lords Commissioners of Her Majesty's Treasury

(**a**) 1978 c. 23
(**b**) S.R. 1989 No. 280; to which there are no previous amendments

SCHEDULE Article 2

Amendment of the Magistrates' Courts Fees Order (Northern Ireland) 1989

SCHEDULE 1 Article 4

Court Fees

		Fee
A.	**In proceedings to which Part VI of the Order applies**	
	Debt Proceedings	
1.	Process (ordinary enforcement or committal)	£ 5·00
2.	Set-off, counterclaim, decree (including an order made on application under Part VIII of the Judgments Enforcement (Northern Ireland) Order 1981) or dismiss	£ 5·00
	Ejectment Proceedings	
3.	Process (including proceedings where a claim for rent or sum due under Article 69 of the Order is joined with a claim for possession)	£ 5·00
4.	Decree or dismiss	£ 5·00
	Duplicate Orders and Extracts from Register	
5.	Notice for duplicate orders	£ 5·00
6.	Duplicate order	£ 5·00
7.	Certified extract from register	£ 5·00
B.	**In proceedings to which Part VII of the Order applies**	
8.	Notice of application or notice of appeal to a magistrates' court	£ 7·00
C.	**Appeals and case stated**	
9.	Copy notice of appeal lodged with clerk of petty sessions for each complaint, application, appeal or process (except where appellant in prison), subject to a maximum fee of £35	£ 7·00
10.	Written application for case stated	£ 8·00
11.	Case stated	£ 15·00
D.	**Notices of application under the Licensing (Northern Ireland) Order 1990**	
12.	(*a*) Application for renewal	£ 60·00
	(*b*) Application for protection order under Article 28	£ 20·00
	(*c*) Application for temporary continuance of business in other premises under Article 31	£ 20·00
	(*d*) Application for transfer	£ 60·00
	(*e*) Application for transfer and renewal	£120·00
	(*f*) Application for Article 34 order	£ 60·00

(*g*) Application for Article 49 order ..... £ 60·00

(*h*) Application for Article 50 order — one day plus £30 for each additional day ..... £ 90·00

(*i*) Additional fee for application out of time under Article 17 for each month or part of a month ..... £ 30·00

(*j*) Application for the grant of an occasional licence for first day plus £10 for each additional day ..... £ 20·00

(*k*) Application for the grant of an extension licence ..... £ 20·00

13. (*a*) For each inspection of the register of licences as provided for under Article 40 ..... £ 5·00

(*b*) For each copy of all or any part of any entry taken from the register of licences as provided for under Article 40 — in respect of each licensed premises ..... £ 5·00

14. A duplicate licence, being a certified copy of particulars recorded in the register of licences, issued under Article 43(2) ..... £ 25·00

E. Applications under the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985

Bookmakers' Licences and Bookmaking Office Licences

15. A notice of application for the grant of a bookmaker's licence under Article 8(1) ..... £ 80·00

16. A notice of application for the grant of a bookmaking office licence under Article 12(1) ..... £ 80·00

17. A notice of application for the provisional grant of a bookmaking office licence under Article 14(1) ..... £ 80·00

18. A notice of application to have provisional grant of a bookmaking office licence declared final under Article 14(7) ..... £ 20·00

19. A notice of application for renewal of a bookmaker's licence under Article 16(1) ..... £ 60·00

20. A notice of application for renewal out of time of a bookmaker's licence under Article 20(1) ..... £100·00

21. A notice of application for renewal of a bookmaking office licence under Article 18(1) ..... £ 60·00

22. A notice of application for renewal out of time of a bookmaking office licence under Article 20(1) ..... £ 80·00

23. A notice of application for transfer of a bookmaking office licence under Article 23(1) ..... £ 60·00

24. A notice of application for concurrent transfer and renewal of a bookmaking office licence under Article 24(1) ..... £120·00

25. A notice of application for revocation of a bookmaker's licence under Article 27(1) ..... £ 60·00

26. A notice of application for revocation of a bookmaking office licence under Article 28(1) ..... £ 60·00

Bingo Club Licences

27. A notice of application for the grant of a bingo club licence under Article 63(1) ..... £ 60·00

28. A notice of application for the provisional grant of a bingo club licence under Article 65(1) ..... £ 60·00

29. A notice of application for the renewal of a bingo club licence under Article 67(1) ..... £ 60·00

30. A notice of application for the renewal out of time of a bingo club licence under Article 69(1) ..... £100·00

Gaming Machine Certificates and Permits

31. A notice of application for the grant of a gaming machine certificate under Article 85(1) ..... £ 60·00

32. A notice of application for the renewal of a gaming machine certificate under Article 87(1) ..... £ 60·00

33. A notice of application for the renewal of a gaming machine certificate out of time under Article 89(1) ..... £100·00

34. A notice of application for the grant of a gaming machine permit under Article 85(3) ..... £ 30·00

Registration of Clubs

35. A notice of application for the registration of a club under Article 96(1) ..... £ 60·00

36. A notice of application for the renewal of registration of a club under Article 98(1) ..... £ 60·00

37. A notice of application for the renewal of registration of a club out of time under Article 100(1) ..... £100·00

Lottery Certificates

38. A notice of application for the grant of a lottery certificate under Article 142(1) ..... £ 80·00

39. A notice of application for renewal of a lottery certificate under Article 144(1) ..... £ 60·00

40. A notice of application for renewal out of time of a lottery certificate under Article 146(1) ..... £100·00

41. A notice of application for revocation of a lottery certificate under Article 149(1) ..... £ 60·00

Supplementary

42. For each inspection and for each copy of all or any part of any entry taken from the register of licences, certificates and permits kept under Article 174(1) ..... £ 5·00

43. For each inspection and for each copy of all or any part of any entry taken from the register of clubs kept under Article 175(1) ..... £ 5·00

44. A duplicate of any licence, certificate or permit referred to in Article 179(1) being a certified copy of particulars recorded in the register kept under Article 174(1) or 175(1), as the case may be, and issued under Article 179(2) ..... £ 25·00

F. Applications under the Registration of Clubs (Northern Ireland) Order 1987

45. On every application for the renewal of registration of a club under Article 8 ..... £ 60·00

46. For each inspection of the register and the statements of expenditure of each club as provided for under Article 15 ..... £ 5·00

47. A duplicate certificate of registration, being a certified copy of particulars recorded in the register of clubs, issued under Article 18(2) ..... £ 25·00

G. Miscellaneous

48. A certificate of conviction or order ..... £ 6·00

49. A certificate authorising the grant of game dealer's licence ..... £ 5·00

50. A notice of application for a licence under Section 1 of the General Dealers (Ireland) Act 1903 ..... £ 5·00

51. A notice of application to a magistrates' court (other than an application under Article 91(3) or (4) of the Order) not otherwise provided for ..... £ 6·00

SCHEDULE 2 Article 6

Fees Payable for Service of a Summons or Process

		Fee
1.	(1) Subject to sub-paragraph (2) and paragraph 3, for the service of a summons or process or document	£ 5·00
	(2) Where service of a summons or process is required to be personal	£ 7·00
2.	For the service of a summons or process where there are two or more defendants or witnesses in the same proceedings there shall be a separate fee for each defendant or witness.	
3.	Where a document relating to a summons is served together with the summons, for each document served	£ 2·50

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order amends the Magistrates' Courts Fees Order (Northern Ireland) 1989 by substituting:—

(*a*) a new Schedule containing increased court fees to be taken in magistrates' courts; and

(*b*) a new Schedule 2 setting out increased fees payable for service of a summons or process.

The Order also introduces, as part of Schedule 1 to the 1989 Order, new fees for duplicate certificates of registration issued under the Registration of Clubs (Northern Ireland) Order 1987 and for duplicate licences, certificates or permits issued under the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985.