

2023 No. 165

JUDGMENTS (ENFORCEMENT)

The Judgment Enforcement 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(a) and now vested in it(b), makes the following Order with the concurrence of the Department of Finance(c).

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 Judgment Enforcement Fees (Amendment) Order (Northern Ireland) 2023 and shall come into operation on 1st November 2023.

Amendment of the Judgment Enforcement Fees Order (Northern Ireland) 1996

2. The Judgment Enforcement Fees Order (Northern Ireland) 1996(d) is amended as follows.
3. For the Schedule substitute the new Schedule set out in the Schedule to this Order.

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



Richard Pengelly
A senior officer of the Department of Justice

(a) 1978 c. 23 as amended by 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); and s.59 of the Justice Act (Northern Ireland) 2016 (2016 c.21 (N.I.)).

(b) Article 15(4)(b) of the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010 No. 976).

(c) 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.

(d) S.R. 1996 No. 101 to which relevant amendments are made by S.R. 2007 No. 380, S.R. 2017 No. 12 and S.R. 2019 No. 176

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

“SCHEDULE

Article 4

Fees

PART 1

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	
No. of Fee	Item	Amount of Fee	
		As from 01/11/23	As from 01/10/24
1.	On lodging notice of intent to apply for enforcement under rule 6; in respect of each person to be served	£28.00	£31.00
2.	On lodging an application for enforcement under Article 22 of the Order; in respect of each respondent Where the sum due on foot of the judgment—		
	1) does not exceed £300	39p in the £1.00 Minimum fee £20.00	39p in the £1.00 Minimum fee £20.00
	2) exceeds £300 but does not exceed £1,000	£127.00 plus £16.00 per additional £100.00 or part thereof of the sum due in excess of £300	£127.00 plus £16.00 per additional £100.00 or part thereof of the sum due in excess of £300
	3) exceeds £1,000 but does not exceed £3,000	£273.00 plus £12.00 per additional £100.00 or part thereof of the sum due in excess of £1,000	£273.00 plus £12.00 per additional £100.00 or part thereof of the sum due in excess of £1,000

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	
No.	of Item	Amount of Fee	
Fee		As from 01/11/23	As from 01/10/24
	(4) exceeds £3,000 but does not exceed £10,000	£568.00 plus £3.00 per additional £100.00 or part thereof of the sum due in excess of £3,000	£568.00 plus £3.00 per additional £100.00 or part thereof of the sum due in excess of £3,000
	(5) exceeds £10,000	£841.00 plus £2.00 per additional £100.00 or part thereof of the sum due in excess of £10,000	£841.00 plus £2.00 per additional £100.00 or part thereof of the sum due in excess of £10,000
3.	On lodging an application under Article 23(1) of the Order, including one copy of the report: for each respondent Where an application is made under Article 22 of the Order subsequent to an application under Article 23(1) of the Order the fee paid under Fee No 2 shall be reduced by the amount of the fee paid under Fee No 3.	£213.00	£232.00
4.	On lodging an application for repossession of land	£734.00	£800.00
5.	On lodging an application for restitution of goods	£235.00	£256.00
6.	On lodging an application under rule 104	£28.00	£31.00

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	
No. of Fee	Item	Amount of Fee	
		As from 01/11/23	As from 01/10/24
7.	(1) On an application for a search in the register of judgments	£28.00	£31.00
	(2) Additional payment where the search is carried out by an officer of the court	£15.00	£16.00
8.	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
	(b) for each sheet thereafter	£0.50	£0.50
9.	For a certificate of satisfaction	£22.00	£24.00
10.	On an administration order made under Article 80 of the Order. This fee is payable out of the money paid into the Office	For every £1.00 of the money paid into the Office in respect of debts due to creditors, 10p	For every £1.00 of the money paid into the Office in respect of debts due to creditors, 10p

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	
No.	of Item	Amount of Fee	
Fee		As from 01/11/23	As from 01/10/24
11.	(i) For the removal, in accordance with an order of seizure under Article 31 of the Order, of goods, or taking steps to remove such goods to a place of deposit. This fee includes the reasonable expenses of feeding and caring for animals	The reasonable expenses thereof	The reasonable expenses thereof
	(ii) For any sale by auction of property seized (to cover all the expenses of sale or incurred in connection therewith including valuation, advertisement, auctioneers' fees)	The reasonable expenses thereof	The reasonable expenses thereof
	(iii) Where goods are sold otherwise than at auction, for the valuation of the goods	The reasonable expenses thereof	The reasonable expenses thereof

PART II
JUDGMENT ENFORCEMENT (RECOVERY OF ADMITTED DEBTS)
RULES (NORTHERN IRELAND) 1985

Recovery of Certain Debts Without Judgment

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	
No. of Fee	Item	Amount of Fee	
		As from 01/11/23	As from 01/10/24
12.	On lodging notice of intention to apply for recovery of debt under rule 8; in respect of each person to be served	£28.00	£31.00
13.	On lodging an application for recovery of debt under Article 95(1) of the Order; in respect of each debtor	£28.00	£31.00
14.	On the Chief Enforcement Officer's direction for recovery of an admitted debt under rule 16(1): in respect of each debtor		
	Where the admitted debt—		
	(1) does not exceed £300	39p in the £1.00 less £20.00 Minimum fee £14.00	39p in the £1.00 less £20.00 Minimum fee £14.00
	(2) exceeds £300 but does not exceed £1,000	£107.00 plus £16.00 per additional £100.00 or part thereof of the debt in excess of £300	£107.00 plus £16.00 per additional £100.00 or part thereof of the debt in excess of £300

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	
No. of Fee	Item	Amount of Fee	
		As from 01/11/23	As from 01/10/24
	(3) exceeds £1,000 but does not exceed £3,000	£255.00 plus £12.00 per additional £100.00 or part thereof of the debt in excess of £1,000	£255.00 plus £12.00 per additional £100.00 or part thereof of the debt in excess of £1000
15.	On lodging a certificate of corresponding debt under rule 18: in respect of each debtor	£28.00	£31.00
16.	On the Master's direction for enforcement of corresponding debt under rule 20(1): in respect of each debtor; Where the sum certified as corresponding debt—		
	(1) does not exceed £300	39p in the £1.00 less £20.00 Minimum fee £14.00	39p in the £1.00 less £20.00 Minimum fee £14.00
	(2) exceeds £300 but does not exceed £1,000	£107.00 plus £16.00 per additional £100.00 or part thereof of the debt in excess of £300	£107.00 plus £16.00 per additional £100.00 or part thereof of the debt in excess of £300
	(3) exceeds £1,000 but does not exceed £3,000	£255.00 plus £12.00 per additional £100.00 or part thereof of the debt in excess of £1,000	£255.00 plus £12.00 per additional £100.00 or part thereof of the debt in excess of £1,000"

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Judgment Enforcement Fees Order (Northern Ireland) 1996 (S.R. 1996 No. 101) to increase the majority of fees payable in respect of the enforcement of judgments under the Judgments Enforcement (Northern Ireland) Order 1981.

An Explanatory Memorandum and a Regulatory Impact Assessment have been produced and are available from Northern Ireland Courts and Tribunals Service, Central Management Team, 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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