
STATUTORY RULES OF NORTHERN IRELAND

2017 No. 12

JUDGMENTS (ENFORCEMENT)

**The Judgment Enforcement Fees
(Amendment) Order (Northern Ireland) 2017**

Made - - - - 16th January 2017

Coming into operation in accordance with Article 1

The Department of Justice, in exercise of the powers conferred by section 116(1) and (1A) of the Judicature (Northern Ireland) Act 1978⁽¹⁾ and now vested in it⁽²⁾, makes the following Order with the concurrence of the Department of Finance⁽³⁾.

The Department has, in accordance with section 116(1) of that Act, consulted with the Lord Chief Justice.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Judgment Enforcement Fees (Amendment) Order (Northern Ireland) 2017.

(2) Articles 1 and 3 shall come into operation on 1st April 2017.

(3) Article 2 shall come into operation immediately after the coming into operation of the Universal Credit Regulations (Northern Ireland) 2016⁽⁴⁾.

(4) In this Order “the principal Order” means the Judgment Enforcement Fees Order (Northern Ireland) 1996 ⁽⁵⁾.

Amendments to the principal Order

2. In Article 9(2) (Exemptions and refunds) of the principal Order—

(a) at the end of sub-paragraph (d) for “.” substitute “;”; and

(b) after sub-paragraph (d) insert—

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- (1) 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.)).
- (2) Article 15(4)(b) of the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010 No. 976).
- (3) 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.
- (4) S.R. 2016 No. 216.
- (5) S.R. 1996 No. 101 to which relevant amendments are made by S.R. 2007 No. 380.

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“(e) universal credit paid under Part 2 of the Welfare Reform (Northern Ireland) Order 2015(6).”.

3. For the Schedule to the principal Order there shall be substituted the new Schedule set out in the Schedule to this Order.

Sealed with the Official Seal of the Department of Justice on 16th January 2017



Claire Sugden
Minister of Justice

The Department of Finance concurs in the making of this Order.

Sealed with the Official Seal of the Department of Finance on 16th January 2017



Emer Morelli
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 01/04/17	As from 01/04/18	As from 01/04/19								
1	On lodging notice of intent to apply for enforcement under rule 6; in respect of each person to be served	£22.00		£24.00	£25.00								
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	33p	in the	35p	in the	37p	in the	£1.00	Minimum fee	£1.00	Minimum fee	£1.00	Minimum fee
		£17.00		£18.00		£19.00							
	(2) exceeds £300 but does not exceed £1,000	£107.00	plus	£115.00	plus	£121.00	plus	£15.00	additional	£100.00	additional	£100.00	additional
		£13.00	per	£14.00	per	£100.00	per	£100.00	or part	£100.00	or part	£100.00	or part
			of		of		of		of the sum		of the sum		of the sum
			the sum due		the sum due		the sum due		in excess of		in excess of		in excess of
			excess of £300		excess of £300		excess of £300		£300		£300		£300

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>				
No. of Fee	Item	Amount of Fee				
	(3) exceeds £1,000 but does not exceed £3,000	£231.00 per £100.00 thereof due in excess of £1,000	plus £9.00 additional or part of the sum due in excess of £1,000	£248.00 plus £10.00 additional or part thereof of the sum due in excess of £1,000	plus £260.00 per £100.00 thereof due in excess of £1,000	plus £11.00 additional or part thereof of the sum due in excess of £1,000
	(4) exceeds £3,000 but does not exceed £10,000	£479.00 per £100.00 thereof due in excess of £3,000	plus £3.00 additional or part of the sum due in excess of £3,000	£515.00 plus £100.00 additional or part thereof of the sum due in excess of £3,000	plus £3.00 additional or part thereof of the sum due in excess of £3,000	£541.00 plus £100.00 additional or part thereof of the sum due in excess of £3,000
	(5) exceeds £10,000	£710.00 per £100.00 thereof due in excess of £10,000	plus £2.00 additional or part of the sum due in excess of £10,000	£763.00 plus £100.00 additional or part thereof of the sum due in excess of £10,000	plus £2.00 additional or part thereof of the sum due in excess of £10,000	£801.00 plus £100.00 additional 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	£165.00		£177.00		£186.00
	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.					
4	On lodging an application for repossession of land	£567.00		£610.00		£641.00

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>		
No. of Fee	Item	Amount of Fee		
5	On lodging an application for restitution of goods	£182.00	£196.00	£206.00
6	On lodging an application under rule 104	£22.00	£24.00	£25.00
7	(1) On an application for a search in the register of judgments	£9.00	£10.00	£11.00
	(2) Additional payment where the search is carried out by an officer of the court	£11.00	£12.00	£13.00
8	On a copy document			
	(a) 5 sheets or less	£6.00	£6.00	£6.00
	(b) for each sheet thereafter	£0.50	£0.50	£0.50
9	For a Certificate of Satisfaction	£17.00	£18	£19.00
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, 11p	For every £1.00 of the money paid into the Office in respect of debts due to creditors, 12p	For every £1.00 of the money paid into the Office in respect of debts due to creditors, 13p
11	(i) For the removal, in accordance with a seizure order under	The reasonable expenses thereof	The reasonable expenses thereof	The reasonable expenses thereof

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
No. of Fee	Item	Amount of Fee
	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	
	(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 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 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 01/04/17 As from 01/04/18 As from 01/04/19
12	On lodging notice of intention to apply for recovery of	£17.00 £18.00 £19.00

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>		
No. of Fee	Item	Amount of Fee		
	debt under rule 8; in respect of each person to be served			
13	On lodging an application for recovery of debt under Article 95 (1) of the Order; in respect of each debtor	£17.00	£18.00	£19.00
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	33p in the £1.00 less Minimum fee £11.00	35p in the £1.00 less £15.00 Minimum fee £12.00	37p in the £1.00 less £15.00 Minimum fee £13.00
	(2) exceeds £300 but does not exceed £1,000	£90.00 plus £13.00 per additional £100.00 or part thereof of the debt in excess of £300	£97.00 plus £14.00 per additional £100.00 or part thereof of the debt in excess of £300	£102.00 plus £15.00 per additional £100.00 or part thereof of the debt in excess of £300
	(3) exceeds £1,000 but does not exceed £3,000	£215.00 plus £9.00 per additional £100.00 or part thereof of the debt in excess of £1,000	£231.00 plus £10.00 per additional £100.00 or part thereof of the debt in excess of £1,000	£243.00 plus £11.00 per additional £100.00 or part thereof of the debt in excess of £1,000

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>		
No. of Fee	Item	Amount of Fee		
15	On lodging a certificate of corresponding debt under rule 18: in respect of each debtor	£17.00	£18.00	£19.00
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	33p in the £1.00 less Minimum fee £11.00	35p in the £1.00 less £15.00 Minimum fee £12.00	37p in the £1.00 less £15.00 Minimum fee £13.00
	(2) exceeds £300 but does not exceed £1,000	£90.00 plus £13.00 per additional £100.00 or part thereof of the debt in excess of £300	£97.00 plus £14.00 per additional £100.00 or part thereof of the debt in excess of £300	£102.00 plus £15.00 per additional £100.00 or part thereof of the debt in excess of £300
	(3) exceeds £1,000 but does not exceed £3,000	£215.00 plus £9.00 per additional £100.00 or part thereof of the debt in excess of £1,000	£231.00 plus £10.00 per additional £100.00 or part thereof of the debt in excess of £1,000	£243.00 plus £11.00 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 fees payable in respect of the enforcement of judgments under the Judgments Enforcement (Northern Ireland) Order 1981 over a three year period (10% increase effective from 1 April 2017, 7.5% increase effective from 1 April 2018 with a further 5% increase effective from 1 April 2019). The Order also updates the qualifying benefits for the purpose of exemptions from fees in consequence of part 2 of the Welfare Reform (Northern Ireland) Order 2015.

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>.