

SCHEDULE

Counsel's fees

	Scale 1 £	Scale 2 £	Scale 3 £	Scale 4 £	Scale 5 £	Scale 6 £	Scale 7 £	Scale 8 £	Scale 9 £	Scale 10 £
For advising proceedings or defence, settling the equity civil bill or petition and advising proofs—	56	78	100	111	145	167	195	220	245	269
On the hearing of every equity civil bill or petition—	167	223	278	334	389	445	501	556	612	668
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										

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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,	56	78	100	111	145	167	195	220	245	269

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| Scale |
|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | |
| £ | £ | £ | £ | £ | £ | £ | £ | £ | £ | £ |

not
exceed—

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 disallowed, or the taxation shall be adjourned without costs of attendance, at the discretion of the Officer.

Solicitor's costs

Percentage or Commission in lieu of Solicitor's 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 each 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.
- (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.

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Solicitor's costs

WHERE THE PRINCIPLE OF ALLOWANCE BY PERCENTAGE OR COMMISSION DOES NOT APPLY

	Scale 1 £	Scale 2 £	Scale 3 £	Scale 4 £	Scale 5 £	Scale 6 £	Scale 7 £	Scale 8 £	Scale 9 £	Scale 10 £
1. For taking instructions for civil bill or defence, advising thereon, taking instructions for hearing, advising proofs, and instructing counsel when employed.	81	97	109	137	165	188	203	216	229	241
2. For drawing civil bill or statement of defence and copy for service, and instructing counsel when employed.	53	65	89	95	113	134	152	170	187	204
3. For entering civil bill or defence, and attending	162	195	250	265	304	342	414	482	545	609

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the hearing, with or without counsel, and for all other costs up to the decree, and taking out same.										
4. In cases of account or inquiry — on further hearing, in addition to the above, for entering the matter, attending further hearing with or without counsel and taking out the order thereon.	162	195	250	265	304	342	414	482	545	609
5. For confirmation of certificate on	53	65	89	95	113	134	158	181	203	224

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account or inquiry where no application to vary a sum not exceeding—										
6. Trustee Act (Northern Ireland) 1958: Order 28. For instructions and attendances, drawing, engrossing and filing an affidavit for the purpose of payment of money, transfer of stock, or deposit of security, obtaining the certificate, paying the money, transferring the stock,	108	145	189	240	288	329	355	379	402	424

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or depositing the security and all other costs.										
7. For all work incident to obtaining an order to invest under Order 28 or Order 45 or for payment of income under Order 45—										
Where the application is ex parte	81	97	125	132	151	170	202	216	229	241
Where the application is on notice	81	100	127	139	162	181	237	289	338	287
For the purposes of items 1, 2 and 3 the expression “civil										

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bill” includes any summons or petition initiating proceedings but does not include a petition at item 8.										
8. For all work incident to obtaining an order for payment out or distribution of funds—										
Where the application is ex parte	81	97	125	132	151	170	202	216	229	241
Where the application is on notice or by petition	108	145	189	240	288	329	355	379	402	424
9. For all work in connection with an	27	49	53	76	82	95	111	127	141	156

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application to the Accountant General under Court Funds Rules.										
10. Costs in the office of the Chief Clerk — 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	298	490	671	854	1026	1170	1259	1343	1421	1499

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	Scale									
	1	2	3	4	5	6	7	8	9	10
	£	£	£	£	£	£	£	£	£	£
lieu of all other costs incurred between the primary decree and the termination of the taking of such account or the making of such inquiry, here shall be allowed to the solicitor for the plaintiff, petitioner, or party having the carriage of the proceedings, as the case may be, such sums as having regard to Rule 9 of Order 55 the taxing officer										

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| £ | £ | £ | £ | £ | £ | £ | £ | £ | £ | £ |

shall consider reasonable but not exceeding (save by direction of the Judge).

11. To the solicitor for the defendant or respondent.

In all cases of account or inquiry directed by any decree or order to be taken or made before the officer of the court, and in lieu of all other costs incurred between the date of the primary decree

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| £ | £ | £ | £ | £ | £ | £ | £ | £ | £ | £ |

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

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other party having carriage of the proceedings, hereinbefore provided.										
OCCASIONAL COSTS										
Receivers										
12. For all work in connection with the appointment of a receiver and the completion of the security, a sum not exceeding—	108	145	189	245	267	289	316	342	265	388
13. For instructions for the account of a receiver, drawing and preparing the same, and all attendances to lodge, vouch and pass the same,	108	145	189	245	267	289	316	342	365	388

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and the distribution or application of the balance, a sum not exceeding—										
Interlocutory Applications and Attendances										
14. For all work in connection with an interlocutory application and the order thereon, a sum not exceeding—	53	65	89	95	113	134	152	170	187	204
Letters										
15. For writing a letter a reasonable time before the institution of proceedings.	3·90	3·90	3·90	3·90	3·90	3·90	3·90	3·90	3·90	3·90
Drafts and Copies										
16. For drawing and engrossing any										

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document not otherwise provided for, 38p per folio.										
17. For copies of all necessary documents used in court, or required by the Judge or briefed, per folio.	0·20	0·20	0·20	0·20	0·20	0·20	0·20	0·20	0·20	0·20
For carbons or duplicates, per folio.	0·11	0·11	0·11	0·11	0·11	0·11	0·11	0·11	0·11	0·11

Part IX

Miscellaneous Costs

INTERPLEADER PROCEEDINGS

The costs under Order 10 shall be in accordance with the foregoing Rules and Tables so far as appropriate and subject to any direction by the Judge.

INTERLOCUTORY APPLICATIONS (other than Equity)

Solicitor's Costs

Instructions and drawing notice of motion or

These items are not to be allowed against the other party unless certified by the Judge, District Judge or Chief Clerk.

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certificate of application for discovery, filing and serving copy	£19·47
Attending before Judge or District Judge on notice or ex parte	£33·38
Drawing up list of documents under Order 15	£30·66 (or such other amount as the Judge or District Judge may allow).

These items are not to be allowed against the other party unless certified by the Judge, District Judge or Chief Clerk.

Counsel's fees

Attending before Judge on notice or ex parte	£33·38
(This item is only to be allowed against the other party when the Judge certifies that counsel was necessary).	
Drawing up list of documents under Order 15	£30·66 (or such other amount as the Judge or District Judge may allow)

JUDGMENTS ENFORCEMENT (NORTHERN IRELAND) ORDER 1981: Part VIII

Costs of an enforcement order under Rule 4(2)(a) of Order 40 shall be in accordance with Part 1, Table 3 as if the total amount ordered to be paid by instalments were the amount decreed.

Costs of a committal order or an attachment of earnings order made by the Court under the said Act shall be one-half the amount of the costs appropriate to an enforcement order.

ENFORCEMENT OF COUNTY COURT DECREES IN OTHER PARTS OF THE UNITED KINGDOM

Applicant's costs of obtaining a certificate in respect of a money provision contained in a decree	£19·47
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And in addition £1·98 in respect of the affidavit together with the commissioner's fee (if any).

HIRE-PURCHASE

Where an order is made for recovery of possession of goods let under a hire-purchase agreement, the prima facie value of the goods for the purpose of costs shall be the total price less (a) the amount paid, and (b) the amount of arrears (if any) awarded by the decree or order, but this value may be varied by the Judge in his discretion and the costs shall be of the same amount as in proceedings for the recovery of a sum of money equal to the said value of the goods.

Where a decree for arrears of instalments and/or damages is coupled with an order for recovery of possession of goods the amount thereof shall be added to the value of the goods as ascertained as above for the purpose of fixing the amount of the costs.

In any proceedings on foot of a hire-purchase agreement for recovery of possession of goods or for arrears of instalments or for damages for breach of the said agreement where such proceedings are undefended the costs shall be in accordance with Part I, Table 3 and in other cases Part I, Table 1 or 2.

STATUTORY APPEALS AND APPLICATIONS

Notice of appeal or application, services and entry	£14·50
Preparation for and attending hearing, instructing counsel (if any) and taking out order	£77·00
Counsel's fees	£48·00

The above fees may be increased at the discretion of the Judge, who may, in the case of an application under the Administration of Estates Acts (Northern Ireland) 1955 or the Inheritance (Provision for Family and Dependents) (Northern Ireland) Order 1979 or the Administration of Estates (Northern Ireland) Order 1979 or any other statutory application not otherwise provided for, direct that the Equity scales shall apply in lieu of the above costs.

PROCEEDINGS FOR WRONGFUL INTERFERENCE WITH GOODS

Where an order is made for delivery of goods with or without an order for damages the value of the goods as assessed by the court shall be added to the damages, if any, for the purpose of ascertaining the appropriate costs scales.

Where an action for wrongful interference with goods is dismissed the defendant's costs shall be based upon the value of the goods claimed as assessed by the court or shall be such sum as the Judge may award.

COSTS OF THE DAY

If ordered by the Judge on the application of any party, the costs of the day in any proceeding shall be in the discretion of the Judge.

Part X

Occasional costs

1. For any affidavit of service not otherwise provided for	£1·98
2. For any other necessary affidavit not otherwise provided for, per folio	£0·82
3. For preparing recognizance	£2·27
4. For drawing, issuing and having served a witness summons	£6·63
5. For drawing costs and copies, per page.	£4·92
6. For attending taxation, per hour	£8·30
