



STATUTORY INSTRUMENTS

S.I. No. 200 of 2008



SUPREME COURT AND HIGH COURT (FEES) ORDER 2008

(Prn. A8/0852)

SUPREME COURT AND HIGH COURT (FEES) ORDER 2008

I, DERMOT AHERN, Minister for Justice, Equality and Law Reform, in exercise of the powers conferred on me by section 65 of the Courts of Justice Act 1936 (No. 48 of 1936) (as adapted by the Justice (Alteration of Name of Department and Title of Minister) Order 1997 (S.I. No. 298 of 1997)), with the consent of the Minister for Finance, hereby order as follows:

1. (1) This Order may be cited as the Supreme Court and High Court (Fees) Order 2008.

(2) This Order comes into operation on 07 July, 2008.

2. There shall be charged in the offices attached to the Supreme Court, the High Court and the President of the High Court and in district probate registries, in respect of each item set out in column (1) of each Part of Schedule 1, the fee set out in column (2) of the Part concerned opposite the mention of the item.

3. The payment of the fee chargeable in respect of an item mentioned in column (1) of each Part of Schedule 1 shall be recorded by means of a stamp impressed on the document or court fee card, as may be appropriate, mentioned in column (3) of the Part concerned opposite the mention of the item.

4. (1) In each financial year there shall be payable, by way of court fees, the percentages specified in Part 1 of Schedule 2 on the annual income arising in that year from the property of every person of unsound mind under the jurisdiction vested in the High Court by section 9 of the Courts (Supplemental Provisions) Act 1961 (No. 39 of 1961), and the provisions of the said Part 1 shall be in substitution for the provisions of section 109 of the Lunacy Regulation (Ireland) Act 1871.

(2) In each financial year there shall be payable, by way of court fees, the percentages specified in Part 2 of Schedule 2 on the annual income arising in that year from the property of every minor under the jurisdiction vested in the High Court by the said section 9.

5. No fee shall be payable under this Order in the Central Office, the Office of the Registrar of the Supreme Court or the Office of the Accountant of the Courts of Justice on any application, order, judgment or report, or on the filing of any notice of motion, affidavit or other document required in connection with—

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 27th June, 2008.*

- (a) proceedings under Article 40.4 of the Constitution,
- (b) proceedings under the Extradition Acts 1965 to 2001,
- (c) proceedings under the European Arrest Warrant Act 2003 (No. 45 of 2003),
- (d) bail proceedings, or
- (e) an application (in proceedings for a criminal offence) for judicial review under Order 84 rule 18 of the Rules of the Superior Courts (S.I. No. 15 of 1986).

6. (1) No fee shall be payable under this Order in—

- (a) family law proceedings,
- (b) matrimonial causes or matters, or
- (c) proceedings brought by the Health Service Executive under—
 - (i) the Children Acts 1908 to 1989,
 - (ii) the Guardianship of Children Acts 1964 to 1997, or
 - (iii) the Child Care Acts 1991 to 2007.

(2) No fee shall be payable under this Order in contravention of paragraph 3 of Article 5 of the Luxembourg Convention (within the meaning of the Child Abduction and Enforcement of Custody Orders Act 1991 (No. 6 of 1991)).

(3) No fee shall be payable under this Order in respect of proceedings to which section 5(5) of the Immigration Act 1999 (No. 22 of 1999) applies.

7. No fee shall be payable under this Order by, or on behalf of, any person represented in any proceedings (whether civil or criminal) by-

- (a) the Chief State Solicitor,
- (b) the Chief Prosecution Solicitor, or
- (c) a local State Solicitor acting in that capacity.

8. Fees payable in the Office of the Official Assignee in Bankruptcy shall be those chargeable on the date of the granting of the petition in arrangement matters or on the date of the adjudication in bankruptcy matters, as the case may be.

9. (1) In the case of the sale of property the subject of any mortgage, charge or lien, the surplus (if any) remaining in the mortgage account after payment of the amount of the mortgage, charge or lien and after payment of the costs, fees and expenses shall be included in the gross amount of the assets realised or

brought to credit for the purpose of calculating the appropriate fee for item 1 of Part 7 of Schedule 1 to this Order.

(2) Where, in proceedings in bankruptcy, the net assets of the bankrupt are less than €150, the petitioning creditor shall lodge with the Official Assignee in Bankruptcy—

(a) a sum which, when added to the net amount realised, will equal €150, and

(b) a sum sufficient to cover the expenses of the Official Assignee in Bankruptcy.

10. The Supreme Court and High Court (Fees) Order 2005 (S.I. No. 70 of 2005) is revoked.

SCHEDULE 1

ARRANGEMENT OF PARTS

PART 1 — Fees payable in the Offices attached to the Supreme Court and the High Court and in the District Probate Registries for copies of documents

PART 2 — Fees payable in the Office of the Registrar of the Supreme Court

PART 3 — Fees payable in the Central Office and the Examiner's Office

A Originating Summonses, etc.

B Appearances

C Affidavits, etc.

D Notices of Motion, etc.

E Setting Down, etc.

F Orders

G Certificates, etc.

H Searches and Inspections

I Bill of Sale

J Bonds, etc.

K Powers of Attorney

L Enrolment

M Admiralty

N Bankruptcy

O Petitions, Applications and Appeals under the Solicitors Acts 1954 to 2002

PART 4 — Fees payable in the Accountant's Office

PART 5 — Fees payable in the Taxing Masters' Office

PART 6 — Fees payable in the Office of Wards of Court

PART 7 — Fees payable in the Office of the Official Assignee in Bankruptcy

PART 8 — Fees payable in the Probate Office and District Probate Registries

PART 1

FEES PAYABLE IN THE OFFICES ATTACHED TO THE SUPREME COURT AND THE HIGH COURT AND IN THE DISTRICT PROBATE REGISTRIES FOR COPIES OF DOCUMENTS

Item (1)	Fee (2)	Document to be stamped (3)
1 (a) Subject to subparagraph (b), for making an attested copy of a document, other than a copy of a judgment, or a copy of an order, per page	€6.00	The attested copy or court fee card
(b) for making an attested copy of a criminal appeal transcript	€0.70 per page	The attested copy or court fee card
2. For provision of a copy judgment	€13.00 plus an additional €1.00 in respect of every 4 pages photocopied	The attested copy or court fee card
3. For examining a copy of any document and marking it as an attested copy	€6.00 per page	The attested copy
4. For a photographic copy of a plan, map, section, drawing, photograph or diagram	€6.00	The copy or court fee card
5. For signing and certifying a document for proof pursuant to the Evidence Act 1851	€6.00 per page	The document

PART 2
FEES PAYABLE IN THE OFFICE OF THE REGISTRAR OF THE
SUPREME COURT

Item (1)	Fee (2)	Document to be stamped (3)
1. On filing a notice of motion of appeal to the Supreme Court (other than an appeal under the Workmen's Compensation Acts)	€125.00	The notice
2. On filing any notice of motion to the Supreme Court (other than a notice of motion of appeal)	€40.00	The notice
3. On filing or lodging a case stated	€55.00	The case stated
4. On filing an affidavit	€13.00	The affidavit
5. (a) On lodging a notice or other document for service, and (b) in addition thereto, for each copy to be transmitted	€6.00 €1.00 (but not more, for any number of copies, than €90.00)	The notice or other document The copy
6. On a petition or on an application for appointment as Notary Public or Commissioner for Oaths	€75.00	The petition or application
7. On a commission appointing a Notary Public or Commissioner for Oaths	€300.00	The commission

PART 3

FEES PAYABLE IN THE CENTRAL OFFICE AND THE EXAMINER'S OFFICE

Item (1)	Fees (2)	Document to be stamped (3)
<i>A Originating Summonses, etc.</i>		
1. On sealing a plenary summons, special summons or summary summons and filing a copy	€125.00	The filed copy
2. On sealing a concurrent plenary summons, concurrent special summons, or concurrent summary summons	€125.00	The filed copy
3. On filing a petition	€125.00	The original petition
4. On any originating <i>ex parte</i> application (excepting <i>habeas corpus</i>), in addition to fee on filing affidavit	€125.00	The affidavit filed in support of the application
5. On sealing any order under Rule 1 or Rule 18 of Order 84 of the Rules of the Superior Courts	€22.00	The original order
6. On sealing a third party notice	€22.00	The filed copy
<i>B Appearances</i>		
7. On entering an appearance	€22.00	The memorandum
<i>C Affidavits, etc.</i>		
8. On filing an affidavit	€17.00	The affidavit
9. On filing a script annexed to an affidavit of scripts	€17.00 (not to exceed, for any number of scripts, €150.00)	The affidavit of scripts
<i>D Notices of Motion, etc.</i>		
10. On filing a notice of motion	€40.00	The notice
11. On filing a notice other than a notice to which Item Nos. 10, 12 and 13 relate	€22.00	The notice
12. On filing a notice of appeal from the Master	€40.00	The notice of appeal
13. On lodging a notice of appeal from the Circuit Court to the High Court	€55.00	The notice of appeal
14. On filing a notice of motion to the Commercial Court	€230	The notice
<i>E Setting Down, etc.</i>		
15. On setting down an action for trial	€120.00	The setting down docket

Item (1)	Fees (2)	Document to be stamped (3)
16. On filing or lodging a case stated	€55.00	The case stated
<i>F Orders</i>		
17. On subpoena <i>ad testificandum</i> or <i>duces tecum</i>	€17.00	The order or court fee card
18. Commission to examine witness or request in lieu of	€17.00	The order or court fee card
19. On entering judgment in the Central Office in default of appearance or of pleading	€30.00	The judgment
<i>G Certificates, etc.</i>		
20. On a certificate of pleadings or proceedings	€11.00	The certificate or court fee card
21. On a certificate under Order 36, Rule 39, of the Rules of the Superior Courts	€20.00	The certificate or court fee card
22. On a sale under an order of the Court of— (a) any lands or hereditaments, or (b) any business (including the goodwill thereof), or (c) any chattels, confirmed or approved by order or certificate: for every €100.00 of the price	€2.50 (Note: If for any reason after payment of this fee the sale is not completed and the property is subsequently sold to another purchaser, credit is to be given for the fee already paid on the abortive sale against the fee payable on the completed sale; but in no case is any of the fee paid on the abortive sale to be re-paid)	The order or certificate
23. On taking account of moneys received by a person liable to account for same — for every €100.00 of the amount received or in the case of a Company being wound up by the Court for every €100.00 of the moneys received by the Liquidator in realisation of the assets of the Company	€4.00	The certificate or court fee card
24. On taking an account of moneys due to any person (other than moneys due to any person by a company or society being wound up by the Court) — for every €100.00 of the amount found	€2.50	The certificate or court fee card
25. On an inquiry to ascertain the person or persons interested in any property or entitled thereto as next-of-kin or heir-at-law or otherwise-		

Item (1)	Fees (2)	Document to be stamped (3)
<p>(a) in all cases, save those set out in subparagraph (b) of this paragraph, for every €100 of the value of the property</p> <p>(b) on an enquiry to ascertain the next-of-kin or heir-at-law of any person—</p> <p>(i) where such person is an ancestor of such next-of-kin or heir-at-law, or where the common ancestor is a parent</p> <p>(ii) where the common ancestor is a grand- parent</p> <p>(iii) where the common ancestor is a great-grandparent or a more remote ancestor</p>	<p>€2.50</p> <p>€17.00</p> <p>€30.00</p> <p>€55.00</p>	<p>The certificate or court fee card</p> <p>The certificate or court fee card</p> <p>The certificate or court fee card</p> <p>The certificate or court fee card</p>
<p>26. On ascertaining pursuant to an order—</p> <p>(a) the outstanding estate of a deceased person, or</p> <p>(b) any property subject to a trust, mortgage or charge, or</p> <p>(c) any partnership assets,- for every €100.00 of the amount of value thereof</p> <p>(The amount on which this fee is payable shall not include any outstanding debt believed to be bad or irrecoverable, but shall include all sums paid after the commencement of the proceedings to creditors or to persons beneficially interested)</p>	<p>€2.50 (Only one fee shall be chargeable in respect of any particular property or moneys in respect of Item Nos. 23 to 26 inclusive)</p>	<p>The certificate or court fee card</p>
<p>27. On settling—</p> <p>(a) a scheme for the management of a charity, or a scheme where the amount involved does not exceed €1,500.00,</p> <p>(b) any other scheme</p>	<p>€65.00</p> <p>€130.00</p>	<p>The scheme</p> <p>The scheme</p>

Item (1)	Fees (2)	Document to be stamped (3)
28. On signing, settling or approving- (a) any advertisement, or authority for a broadcast announcement, for any person entitled as next-of-kin, heir-at-law or otherwise to share in any property: (i) for the first advertisement or authority signed in respect of any person or persons (ii) for any subsequent advertisement or authority signed in respect of the person or persons, (b) any other advertisement	€70.00 €40.00 €40.00	The posting The posting The posting
29. On the examination of a witness- (a) before an officer of the Court in his office (otherwise than for the purpose of any inquiry, taxation of costs or other proceedings before the officer)- for each hour or part of an hour (b) by an officer away from his office- for each day or part of a day	€17.00 and an amount equal to the reasonable expenses of the officer €65.00 and an amount equal to the reasonable expenses of the officer	The order of appointment The order of appointment
<i>H Searches and Inspections</i>		
30. On an application to inspect any document filed or deposited in the Central Office more than three years before such application, unless otherwise expressly provided for by this Order	€11.00 (not to be charged if a copy of the document is bespoken)	The search docket
31. On a memorandum for the registration of— (a) a decree of the District Court (b) a judgment of the Circuit Court (c) a judgment of the High Court	€11.00 €17.00 €22.00	The memorandum The memorandum The memorandum
32. On a memorandum for the re-entry of a judgment, decree, order or rule pursuant to the Judgments (Ireland) Act 1844	€11.00	The memorandum
33. On a memorandum for the registration of a <i>lis pendens</i> pursuant to the said Act	€11.00	The memorandum
34. On a memorandum for the re-entry of a <i>lis pendens</i> pursuant to the said Act	€11.00	The memorandum
35. On a requisition for liberty to search pursuant to the said Act- for each person searched against	€11.00 (not to be charged if a requisition for an official search is lodged)	The search docket

Item (1)	Fees (2)	Document to be stamped (3)
36. On a memorandum for registration of the satisfaction or vacate of any judgment, bond or recognizance, decree, rule or order or for the re-docketing of any bonds or recognizances pursuant to the Land Transfer (Ireland) Act 1848	€11.00	The memorandum
37. On a requisition for a search for judgments or revivals entered up before 15 July 1850, and for decrees, rules, orders or civil bill decrees for poor rates made before 15 July 1850, and for <i>lites pendentes</i> registered against any person and for recognizances and bonds, judgments, statutes, inquisitions and acceptances of office registered or re-registered against the same person	€22.00	The requisition
38. On a requisition for a search for judgments, revivals, decrees, rules, orders, <i>lites pendentes</i> and civil bill decrees for poor rates registered or re-registered against any person and for recognizances and bonds, judgments, statutes, inquisitions and acceptances of office registered or re-registered against the same person	€22.00	The requisition
39. On a requisition for a duplicate of a search pursuant to the Judgments Registry (Ireland) Act 1871	€22.00	The requisition
40. On a memorandum of vacate of a <i>lis pendens</i>	€11.00	The memorandum
<i>I Bill of Sale</i>		
41. On filing a bill of sale	€17.00	The filed copy

Item (1)	Fees (2)	Document to be stamped (3)
42. For a search in the bills of sale index	€6.00 (not to be charged if a copy of a bill of sale is bespoken)	The search docket
43. For inspecting any bill of sale	€6.00 (not to be charged if a copy is bespoken)	The search docket
<i>J Bonds, etc.</i>		
44. On filing any recognizance or bond in the Central Office and giving a certificate thereof.	€17.00	The recognizance or bond
<i>K Powers of Attorney</i>		
45. On depositing a power of attorney in the Central Office pursuant to the Conveyancing Act 1881	€17.00	The power of attorney
46. For a search for a power of attorney so deposited, and for inspecting the same and the affidavit or other documents deposited therewith	€6.00 (not to be charged if a copy is bespoken)	The search docket
<i>L Enrolment</i>		
47. On enrolling any deed or document- for each 10 folios or part of 10 folios	€32.00	The deed or document
<i>M Admiralty</i>		
48. On a certificate under Order 64, Rule 46, paragraph 9, of the Rules of the Superior Courts	€40.00	The certificate or court fee card
49. On issuing any instrument under Order 64, Rule 56, of the Rules of the Superior Courts	€50.00	The instrument
50. On appointing and swearing appraisers	€50.00	The certificate of appraisal
51. On delivering up a ship or goods to a purchaser	€70.00	The order
52. On the sale of a ship or goods- for every €100.00 or fraction of €100.00 of the price	€12.00	The order
53. For attending the discharge of a cargo or the removal of a ship or goods, per day	€70.00	The certificate of execution
54. For retaining possession of a ship with or without a cargo, or of a ship's cargo without a ship, per day	€4.00	The instrument of release
55. For executing a warrant or commission	€50.00	The warrant or commission

Item (1)	Fees (2)	Document to be stamped (3)
56. For releasing a ship and cargo, or either of them	€27.00 and an amount equal to — (a) the reasonable expenses per day of supplying a shipkeeper or shipkeepers where such is or are employed; (b) the reasonable travelling and subsistence expenses of the officer for the time being exercising the functions formerly exercised by the Admiralty Marshal, if such officer is required, for the purpose of carrying out any of the above duties, to travel more than five miles from his office.	The instrument of release
<i>N Bankruptcy</i>		
57. On every petition of bankruptcy	€75.00	The petition
58. On every petition of arrangement	€75.00	The petition
59. On every petition under Part VI of the Bankruptcy Act 1988	€75.00	The petition
60. On every bankruptcy summons	€75.00	The summons
61. On every bond, with or without sureties	€13.00	The bond
62. On every <i>subpoena</i> or summons (other than a bankruptcy summons)	€13.00	The subpoena or summons
63. On every affidavit	€13.00	The affidavit
64. (a) On filing a notice of intention to show cause	€40.00	The notice
(b) On filing a charge or discharge	€20.00	The notice
65. On filing a charge or discharge	€20.00	The charge or discharge
66. For a search by any person other than the bankrupt, the arranging debtor, the Official Assignee or the trustee in the matter	€6.00	The search docket
67. On commission to examine a witness	€13.00	The order
68. On making a plain copy of any document or form	€1.00 per page	The court fee card
<i>O Petitions, Applications and Appeals under the Solicitors Acts 1954 to 2002</i>		
69. On lodging a notice of motion of application or a notice or motion of appeal under the Solicitors Acts 1954 to 2002 or on presenting a petition under Part III of Order 53 of the Rules of the Superior Courts	€100.00	The notice or petition

PART 4
FEES PAYABLE IN THE ACCOUNTANT'S OFFICE

Item (1)	Fee (2)	Document to be stamped (3)
1. On a direction by the Court or the Accountant to pay or invest or place money on deposit or transfer stock or shares, where the amount or value exceeds €1,000— for every €100 or part thereof in excess of the first €1,000	€1.00 (fee not to exceed €750 in any case)	The direction
2. On a certificate of the amount and description of funds to credit of any account in the books of the Accountant	€10.00	The certificate or court fee card
3. On a transcript of an account	€10.00	The transcript
4. On a request for lodgement of funds in court without an order	€10.00	The request
5. On a request to the Accountant for payment of money out of court without an order	€10.00	The request
6. On lodging a power of attorney	€10.00	The power of attorney
7 On a request for a certificate of the lodgement of any funds in court	€10.00	The request

PART 5
FEES PAYABLE IN THE TAXING MASTERS' OFFICE

Item (1)	Fee (2)	Document to be stamped (3)
1. On a notice to tax, except on an <i>ex parte</i> taxation	€250.00	The notice
2. On the taking of a cash account between the solicitor and his client on a taxation under the Solicitors (Ireland) Act 1849 or otherwise- for every €100 or fraction of €100 of the amounts found to have been received and paid	€1.00	The bill
3. On the taxation of a bill of costs- for every full €100 in the amount allowed (including witnesses' expenses)	€6.00 (Note: Credit is to be given for the fee paid in respect of item 1, above)	The bill
4. On the issue of a certificate of taxation	€55.00	The certificate or court fee card
5. On carrying in objections to the allowance or disallowance of any item or items in a bill of costs	€55.00	The objections
6. On a report of a Taxing Master as to the grounds of his decision to allow or disallow any item or items in a bill of costs	€22.00	The report
7. On a report of a Taxing Master as to security for costs in a matrimonial case	€22.00	The report

PART 6
FEES PAYABLE IN THE OFFICE OF WARDS OF COURT

Item (1)	Fee (2)	Document to be stamped (3)
1. On every Declaration Order under section 68 or section 70 of the Lunacy Regulation (Ireland) Act 1871	€50.00	The order
2. On every Declaration Order under section 12 or section 15 of the said Act	€50.00	The order
3. On every order taking a person into Wardship as a Minor	€50.00	The order
4. On every Discharge and Dismissal Order.	€50.00	The order
5. On every Order for the purchase or sale of property	€50.00	The order
6. On every Order authorising building projects such as construction of houses and extensions.	€50.00	The Order
7. Every certificate of enduring power of attorney	€20.00	The certificate
8. On measuring a bill of costs and certifying the amount thereof- for every €20.00 or part thereof allowed	€1.50	The bill of costs
9. For taking and certifying the result of an account- for each €200 found to have been received without deducting any payment	€1.50 (but fee not to exceed €30)	The account
10. On exemplifying any copy of an order	€10.00	The copy
11. For making an attested copy of a document (other than a first copy of an order), per page	€4.00	The attested copy

PART 7
FEE PAYABLE IN THE OFFICE OF THE OFFICIAL ASSIGNEE IN
BANKRUPTCY

Item (1)	Fee (2)	Document to be stamped (3)
<p>1. On every realisation account of the Official Assignee in a bankruptcy matter, in a vesting arrangement or in proceedings under Part VI of the Bankruptcy Act 1988 and on every certified statement of accounts by a trustee—</p> <p>(a) for the first €3,000 of the gross amount of the assets realised or brought to credit or where such amount does not exceed €3,000</p> <p>(b) for every €100 or fraction of €100 by which the said amount exceeds €3,000</p>	<p style="text-align: center;">€900.00</p> <p style="text-align: center;">€15.00</p>	<p style="text-align: center;">The account</p> <p style="text-align: center;">The account</p>
<p>2. On the account of the Official Assignee, or of the trustee, for the proceeds of the sale by him or her of any property of a bankrupt or arranging debtor the subject of any mortgage, charge or lien —</p> <p>(a) for the first €3,000 of the gross amount produced by such sale or where such amount does not exceed €3,000</p> <p>(b) for every €100 or fraction of €100 by which the said amount exceeds €3,000</p>	<p style="text-align: center;">€900.00</p> <p style="text-align: center;">€15.00</p>	<p style="text-align: center;">The account</p> <p style="text-align: center;">The account</p>
<p>3. On the account of the Official Assignee in every arrangement (other than a vesting arrangement) or on the instrument containing the terms of a composition—</p> <p>(a) for the first €3,000 of the gross amount of the composition or where such amount does not exceed €3,000</p> <p>(b) for every €100 or fraction of €100 by which the said amount exceeds €3,000 but does not exceed €15,000</p> <p>(c) for every €100 or fraction of €100 by which the said amount exceeds €15,000 but does not exceed €75,000</p> <p>(d) for every €100 or fraction of €100 by which the said amount exceeds €75,000</p>	<p style="text-align: center;">€900.00</p> <p style="text-align: center;">€15.00</p> <p style="text-align: center;">€7.00</p> <p style="text-align: center;">€4.00</p>	<p style="text-align: center;">The account or instrument</p> <p style="text-align: center;">The account or instrument</p> <p style="text-align: center;">The account or instrument</p> <p style="text-align: center;">The account or instrument</p>
<p>4. On the account of the Official Assignee in every composition after bankruptcy—</p> <p>(a) for the first €3,000 of the gross amount of the composition or where such amount does not exceed €3,000</p> <p>(b) for every €100 or fraction of €100 by which the said amount exceeds €3,000 but does not exceed €15,000</p> <p>(c) for every €100 or fraction of €100 by which the said amount exceeds €15,000 but does not exceed €75,000</p> <p>(d) for every €100 or fraction of €100 by which the said amount exceeds €75,000</p>	<p style="text-align: center;">€900.00</p> <p style="text-align: center;">€15.00</p> <p style="text-align: center;">€7.00</p> <p style="text-align: center;">€3.00</p>	<p style="text-align: center;">The account</p> <p style="text-align: center;">The account</p> <p style="text-align: center;">The account</p> <p style="text-align: center;">The account</p>

Item (1)	Fee (2)	Document to be stamped (3)
<p>(For the purpose of calculating fees numbers 3 and 4, the gross amount means the amount to be provided under the terms of the composition for ordinary creditors.</p> <p>Fees numbers 3 and 4 shall be paid by the person making the composition over and above the amount of the composition.)</p>		
<p>5. On the account of the Official Assignee in every allocation case-</p> <p>(a) for the first €3,000 of the gross amount collected or where such amount does not exceed €3,000</p> <p>(b) for every €100 or fraction of €100 by which the said amount exceeds €3,000</p>	<p>€550.00</p> <p>€9.00</p>	<p>The account</p> <p>The account</p>
<p>6. On every account of the Official Assignee other than a realisation account, a composition account or an account in an allocation case, whether or not funds are lodged with the Official Assignee—</p> <p>(a) for the first €3,000 of the gross amount of the debt or where such amount does not exceed €3,000</p> <p>(b) for every €100 or fraction of €100 by which the said amount exceeds €3,000 but does not exceed €15,000</p> <p>(c) for every €100 or fraction of €100 by which the said amount exceeds €15,000 but does not exceed €75,000</p> <p>(d) for every €100 or fraction of €100 by which the said amount exceeds €75,000</p>	<p>€900.00</p> <p>€15.00</p> <p>€7.00</p> <p>€3.00</p> <p>(For the purposes of calculating the fee on the gross amount of the debts in the case of an application by a bankrupt to show cause on grounds other than that of non-compliance with a requirement of section 11(1) of the Bankruptcy Act 1988, the debt due to a creditor who waives his claim in the bankruptcy shall not be taken into account, provided always that a fee of not less than €750 shall be chargeable in such a case)</p>	<p>The account</p> <p>The account</p> <p>The account</p> <p>The account</p>

Item (1)	Fee (2)	Document to be stamped (3)
7. On the taking of an account by the Official Assignee, pursuant to an Order of the Court, of the amount due in respect of a mortgage debt- for every €100 of the amount due	€4.00	The certificate

PART 8
FEES PAYABLE IN THE PROBATE OFFICE AND DISTRICT
PROBATE REGISTRIES

Item (1)	Fee (2)	Document to be stamped (3)
1. For every order of a Probate Officer, Assistant Probate Officer or District Probate Registrar	€22.00	The order, certificate or court fee card
2. For every certificate signed by a judge as to the authority of any person to act in a specified capacity or for any similar certificate	€22.00	The certificate or court fee card
3. For every Notice of Application not filed at time of lodgement of full set of papers of application of grant	€17.00	The application
4. For every Consent to withdrawal of — caveats, warnings, etc.	€17.00	The consent
5. For filing any other Document (except those filed at time of lodgement of full set of papers) of application for a grant	€11.00	The document
6. For every Notice of Change of Solicitor	€22.00	The notice
7. Fees payable on a Primary Grant of Representation where the net value of the Estate does not exceed €75,000 €87,500 €100,000 €112,500 €125,000 for every €31,250 or fraction thereof by which the value exceeds €125,000 a further fee of (e.g. €156,250 €187,500)	€100.00 €110.00 €120.00 €125.00 €135.00 €12 (€147.00 €159.00 etc.)	The court fee card
8. For every double, cessate, unadministered or duplicate grant of representation	€110.00	The court fee card
9. Where any grant is sought by personal application	the total fee payable (inclusive of the Court fee) shall be double the appropriate amount chargeable under item 7 or item 8, as applicable	The court fee card
10. For every affidavit not filed at the time of lodgement of a full set of application papers for a grant	€17.00	The affidavit
11. For lodging or re-entering any motion paper, whether <i>ex parte</i> or on notice	€17.00	The motion paper
12. For every first copy of a court order or side bar order	€17.00 (This fee shall not be chargeable where the order is made in chambers pursuant to section 36 of the Succession Act 1965 and the copy is bespoken by the intended grantee or his solicitor)	The copy order

Item (1)	Fee (2)	Document to be stamped (3)
13. On lodgement of a corrective affidavit	The correct fee under item No. 7 or item no. 9 as appropriate less the amount of the fee previously charged	The copy affidavit
14. For the entry of any caveat	€11.00	The caveat
15. For filing any warning, citation or subpoena or any appearance to any warning, citation or subpoena	€11.00	The original document (except citation where copy stamped)
16. For the subduction of any caveat	€5.00	The caveat book
17. For the subduction of any application	€5.00	The notice of application
18. For settling any advertisement in connection with a citation or otherwise	€11.00	The affidavit
19. For every search made by an applicant for a will or for any record of a grant or any other document filed in the Probate Office or in a District Probate Registry, including the inspection of any original will or codicil or any record of a grant	€5.00	The search docket
20. For every similar search made by an Officer of the Probate Office or of a District Probate Registry for which the officer is requested to search	€11.00	The search docket
21. For all searches made on any one day by the representative of a newspaper or group of newspapers (The representative must state on the search docket his name and that of the newspaper or group of newspapers which he represents)	€22.00	The search docket
22. For any official copy of any will, grant or other document (other than an Inland Revenue affidavit)	€6.00	The copy
23. For a certified copy of any will, grant or other document (other than an Inland Revenue affidavit)	€11.00	The copy
24. For a sealed and certified copy will or grant	€11.00	The copy
25. For a sealed and certified copy will and grant bespoken at the same time	€17.00	The copy grant
26. For making an attested copy of an Inland Revenue affidavit	€11.00	The copy

SCHEDULE 2

PERCENTAGES PAYABLE IN THE OFFICE OF THE WARDS OF
COURT**Part 1***Lunacy Percentages*

1. In this Part “clear annual income” does not include the following payments:

- (a) unemployment assistance,
- (b) old age (non-contributory) pension,
- (c) widow's (non-contributory) pension,
- (d) widower's (non-contributory) pension,
- (e) deserted wife's allowance,
- (f) prisoner's wife's allowance,
- (g) one-parent family payment,
- (h) blind pension.

2. Subject to paragraph 3 of this Part, a percentage on the clear annual income of each ward of court found to be of unsound mind and whose clear annual income is not less than €900 shall be payable according to the following rates:

- (a) where the clear annual income is not less than €900 but is less than €2,250, $2\frac{1}{2}$ per cent of the clear annual income;
- (b) where the clear annual income is not less than €2,250 but is less than €4,500, 3 per cent of the clear annual income;
- (c) where the clear annual income is not less than €4,500, 4 per cent of the clear annual income, subject to a maximum payment of €750.

3. Any fractional part of €1.00 in the amount of a percentage shall be disregarded and shall not be levied or paid.

Part 2*Minor Percentages*

1. A percentage on the clear annual income of each minor taken into the wardship of the High Court shall be payable at the same rates as apply to the incomes of wards of court who are of unsound mind, save that the percentage shall be charged only on that part of the clear annual income that exceeds €900, and subject to a maximum payment of €750.

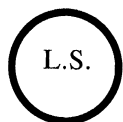
2. Where a minor has an interest in property, the Registrar of Wards of Court may apportion as remuneration for any services rendered to the minor in connection therewith such part of the profits accruing to the minor from the property as appears to the Registrar to be reasonable and no percentage shall be charged on the amount thus apportioned.

Part 3

Calculation, Collection and Disposal

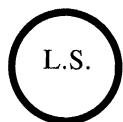
The rules heretofore in operation under the Lunacy Regulation (Ireland) Act 1871 with respect to the method of calculation, collection and disposal of the percentage charged on the incomes of persons of unsound mind shall continue to apply to the percentage charged on such incomes under this Order and shall apply likewise or in an analogous manner to the percentage charged on the incomes of minors under this Order. Where, in any such rule, reference is made to the death of a person of unsound mind, the reference shall, in its application to a minor, include a reference to the minor's attaining the age of 18 years.

The Minister for Finance consents to the making of the foregoing Order.



GIVEN the Official Seal of the Minister for Finance
19 June 2008

BRIAN LENIHAN.
Minister for Finance.



GIVEN under my Official Seal,
19 June 2008

DERMOT AHERN.
Minister for Justice, Equality and Law Reform.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

This Order revokes the Supreme Court and High Court (Fees) Order, 2005 (S.I. No. 70 of 2005).

The Order provides for the fees to be charged with effect from 07 July, 2008 in the Office of the Registrar of the Supreme Court, the Central Office, the Examiner's Office, the Office of the Official Assignee in Bankruptcy, the Taxing Master's Office, the Accountant's Office, the Office of Wards of Court, the Probate Office and District Probate Registries.

In addition, the Order provides for the exemption from fees of certain proceedings, including family law proceedings.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,
nó tríd an bpost ó
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,
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