



STATUTORY INSTRUMENTS.

S.I. No. 240 of 2013.



CIRCUIT COURT (FEES) ORDER 2013

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I, ALAN SHATTER, Minister for Justice and Equality, in exercise of the powers conferred on me by section 65 (as amended by section 66 of the Civil Law (Miscellaneous Provisions) Act 2011 (No. 23 of 2011)) of the Courts of Justice Act 1936 (No. 48 of 1936) (as adapted by the Justice and Law Reform (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 138 of 2011)), with the consent of the Minister for Public Expenditure and Reform, hereby order as follows:

1. (1) This Order may be cited as the Circuit Court (Fees) Order 2013.
- (2) This Order shall come into operation on 10 July 2013.
2. There shall be charged in the offices of the Circuit Court, in respect of each item set out in column (1) of each Part of the Schedule, the fee set out in column (2) of the Part concerned opposite the mention of the item.
3. No fee shall be payable under this Order in—
 - (a) any family law proceedings,
 - (b) any matrimonial cause or matter, or
 - (c) proceedings brought by a health board or health authority in any matter relating to minors.
4. (1) No fee shall be payable under this Order by or on behalf of—
 - (a) the Attorney General, in proceedings to which he or she is a party,
 - (b) the Director of Public Prosecutions, in proceedings to which he or she is a party,
 - (c) a member of the Garda Síochána, in proceedings for an offence brought by the member concerned,
 - (d) a Minister of the Government, in proceedings brought by the Minister of the Government concerned, or
 - (e) a probation and welfare officer, in proceedings under the Probation of Offenders Act 1907 or the Criminal Justice (Community Service) Acts 1983 to 2011.
- (2) No fee shall be payable under this Order by or on behalf of any person represented in proceedings (whether civil or criminal) by—

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 9th July, 2013.*

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

(3) No fee shall be payable under this Order in respect of a witness called to give evidence in proceedings to which this Article applies by or on behalf of a person to whom this Article applies.

5. No fee, other than in respect of the items in Part 4 of the Schedule, shall be payable under this Order by or on behalf of the Insolvency Service of Ireland in connection with proceedings under the Personal Insolvency Act 2012.

6. The Circuit Court (Fees) Order 2012 (S.I. No. 109 of 2012) is revoked.

SCHEDULE

FEES IN CIRCUIT COURT OFFICES

PART 1

GENERAL

	Item (1)	Fee (2)
1	On every affidavit filed	€15.00
2	On every copy of any document	€15.00
3	On every search	€15.00
4	On every stamping of an un-stamped document given in evidence	€55.00
5	On every — (i) originating application to the court <i>ex parte</i> , (ii) other application to the court not otherwise specifically provided for, or (iii) originating notice of motion	€70.00
6	On every certificate not otherwise provided for	€15.00
7	On a summons to tax	€70.00
8	On the taxation of a bill of costs— for every full €100 in the amount (including witnesses' and other expenses and Value Added Tax) allowed	€8.00
9	On the issue of a certificate of taxation	€70.00
10	On every application for an endorsement of a certificate for registration of a judgment mortgage in the Property Registration Authority	€20.00

PART 2

CERTAIN PROCEEDINGS UNDER RULES OF THE CIRCUIT COURT

	Item (1)	Fee (2)
1	On the issue of every civil bill (excluding civil bills in respect of Family Law proceedings), summons, petition or originating notice of application to the court or to the County Registrar not otherwise provided for in this Order and on every notice of appeal other than appeals from the District Court	€68.00
2	On the filing of every Defence	€15.00
3	On the filing of every counterclaim or set-off	€15.00
4	On every notice of indemnity or of contribution in a civil case	€15.00
5	On every— (i) entry of a notice of motion, other than an originating notice of motion, or (ii) <i>ex parte</i> application, other than an originating <i>ex parte</i> application	€60.00
6	On every notice of trial	€60.00
7	On every witness summons	€15.00
8	On every judgment by default entered in the office (including affidavit of debt, certificate of no appearance, defence and request for execution order)	€120.00

*PART 3*PROCEEDINGS UNDER LICENSING ACTS 1833 TO 2011 AND REGISTRATION OF CLUBS
ACTS 1904 TO 2008

	Item (1)	Fee (2)
1	On every application for a declaration under the Licensing Acts	€330.00
2	On every application for a certificate consequent on a declaration under the Licensing Acts	€330.00
3	On every application for a certificate (other than an application consequent on a declaration) under the Licensing Acts	€330.00
4	On every application for a declaration under the Registration of Clubs Acts	€330.00

PART 4

PROCEEDINGS UNDER PERSONAL INSOLVENCY ACT 2012

	Item (1)	Fee (2)
1	On every furnishing under section 31(1)(a) of the Personal Insolvency Act 2012 of an application for a Debt Relief Notice	€30.00
2	On every furnishing under section 61(1)(a) of the Personal Insolvency Act 2012 of an application for a protective certificate	€75.00
3	On every furnishing under section 95(1)(a) of the Personal Insolvency Act 2012 of an application for a protective certificate	€150.00

The Minister for Public Expenditure and Reform consents to the making of the foregoing Order.



GIVEN under the Official Seal of the Minister for Public Expenditure and Reform,
4 July 2013.

BRENDAN HOWLIN,
Minister for Public Expenditure and Reform.



GIVEN under my Official Seal,
4 July 2013.

ALAN SHATTER,
Minister for Justice and Equality.

EXPLANATORY NOTE

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

This order revokes the Circuit Court (Fees) Order, 2012 (S.I. No 109 of 2012).

This order provides for the fees to be charged in Circuit Court offices with effect from 10 July 2013.

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
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