



STATUTORY INSTRUMENTS.

S.I. No. 407 of 2011



CIRCUIT COURT (FEES) ORDER 2011

(Prn. A11/1361)

CIRCUIT COURT (FEES) ORDER 2011

I, ALAN SHATTER, Minister for Justice and Equality, in exercise of the powers conferred on me by section 65 (as amended by section 9 of the Civil Law (Miscellaneous Provisions) Act 2008 (No. 14 of 2008)) 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 2011.
- (2) This Order shall come into operation on 22 August 2011.
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) Act 1983 (No. 23 of 1983).
- (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 16th August, 2011.*

- (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. The Circuit Court (Fees) Order 2008 (S.I. No. 201 of 2008) is revoked.

SCHEDULE

FEES IN CIRCUIT COURT OFFICES

PART 1

General

	Item (1)	Fee (2)
1	On every affidavit filed	€11.00
2	On every copy of any document	€15.00
3	On every search	€11.00
4	On every stamping of an un-stamped document given in evidence	€50.00
5	On every application to the court <i>ex parte</i> or otherwise not specifically provided for	€68.00
6	On every certificate not otherwise provided for	€11.00
7	On a summons to tax	€68.00
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	€6.00
9	On the issue of a certificate of taxation	€68.00

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 Answer	€11.00
3	On the filing of every counterclaim or set-off	€11.00
4	On every notice of indemnity or of contribution in a civil case	€11.00
5	On entry of every notice of motion or <i>ex parte</i> application	€60.00
6	On every notice of trial	€60.00
7	On every witness summons	€11.00
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 2010 and Registration of Clubs Acts
1904 to 2008

	Item (1)	Fee (2)
1	On every application for a declaration under the Licensing Acts	€300
2	On every application for a certificate consequent on a declaration under the Licensing Acts	€300
3	On every application for a certificate (other than an application consequent on a declaration) under the Licensing Acts	€300
4	On every application for a declaration under the Registration of Clubs Acts	€300

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,
3 August 2011.

BRENDAN HOWLIN,
Minister for Public Expenditure and Reform.



GIVEN under my Official Seal,
3 August 2011.

ALAN SHATTER,
Minister for Justice and Equality.

EXPLANATORY NOTE

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

This order revokes the Circuit Court (Fees) Order, 2008 (S.I. No. 201 of 2008).

This Order provides for the fees to be charged in Circuit Court offices with effect from 22 August 2011.

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

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,
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PUBLISHED BY THE STATIONERY OFFICE
To be purchased directly from the
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€2.54

