



STATUTORY INSTRUMENTS

S.I. No. 201 of 2008



CIRCUIT COURT (FEES) ORDER 2008

(Prn. A8/0853)

CIRCUIT 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 Circuit Court (Fees) Order 2008.

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

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. The payment of the fee chargeable in respect of an item mentioned in column (1) of each Part of the Schedule 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. 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.

5. (1) No fee shall be payable under this Order by, or on behalf of—

(a) the Attorney General, in proceedings to which he is a party,

(b) the Director of Public Prosecutions, in proceedings to which he 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).

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

(2) No fee shall be payable under this Order by, or on behalf of, any person represented in 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.

(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.

6. The Circuit Court (Fees) Order 2004 (S.I. No. 445 of 2004) is revoked.

SCHEDULE

FEES IN CIRCUIT COURT OFFICES

PART 1

GENERAL

	Item (1)	Fee (2)	Document to be stamped (3)
1	On every affidavit filed	€11.00	The affidavit
2	On every copy of any document	€5.00	The copy or court fee card
3	On every search	€11.00	Court fee card
4	On every stamping of an un-stamped document given in evidence	€50.00	The requisition to stamp
5	On every application to the court <i>ex parte</i> or otherwise not specifically provided for	€60.00	The application
6	On every certificate not otherwise provided for	€11.00	Court fee card
7	On a summons to tax	€50.00	The summons
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	The original bill or court fee card
9	On the issue of a certificate of taxation	€11.00	The certificate or court fee card

PART 2

CERTAIN PROCEEDINGS UNDER RULES OF THE CIRCUIT COURT

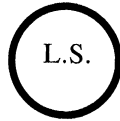
	Item (1)	Fee (2)	Document to be stamped (3)
1	On the issue of every civil bill (excluding civil bills in respect of Family Law proceedings), summons, petition or originating notice of application to the court or to the County Registrar not otherwise provided for in this Order and on every notice of appeal other than appeals from the District Court	€65.00	The originating document
2	On the filing of every Answer	€11.00	The document filed
3	On the filing of every counterclaim or set-off	€11.00	The document filed
4	On every notice of indemnity or of contribution in a civil case	€11.00	The document filed
5	On entry of every notice of motion or <i>ex parte</i> application	€60.00	The original notice or <i>ex parte</i> docket
6	On every notice of trial	€60.00	The notice
7	On every witness summons	€11.00	The requisition for issue or summons
8	On every judgment by default entered in the office (including affidavit of debt, certificate of no appearance, defence and request for execution order)	€85.00	The request for judgment

PART 3

PROCEEDINGS UNDER LICENSING ACTS 1833 TO 2003 AND REGISTRATION OF CLUBS ACTS 1904 TO 2003.

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

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



GIVEN under 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 Circuit Court (Fees) Order, 2004 (S.I. No. 445 of 2004).

The Order provides for the fees to be charged in Circuit Court Offices with effect from 07 July, 2008.

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,
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