



STATUTORY INSTRUMENTS

S.I. No. 202 of 2008



DISTRICT COURT (FEES) ORDER 2008

(Prn. A8/0854)

DISTRICT 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 District Court (Fees) Order 2008.
- (2) This Order comes into operation on 07 July 2008.
2. There shall be charged in the offices of the District Court, in respect of each item specified in column (1) of each Part of the Schedule, the fee set out in column (2) of the Part concerned opposite the mention of that item.
3. Subject to Article 5, 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. The fee chargeable in respect of an item mentioned in column (1) of Part 9 of the Schedule may be paid electronically.
5. Notwithstanding Article 3, where the fee chargeable in respect of an item mentioned in column (1) of Part 9 of the Schedule to this order is paid electronically, the payment of that fee shall be recorded electronically by means of the issue by the Courts Service of an e-mail, confirming such payment.
6. 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.
7. (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,

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

- (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,
- (e) the Revenue Commissioners, in proceedings brought by them,
- (f) a local authority, in proceedings under the Local Authorities (Traffic Wardens) Act 1975 (No. 14 of 1975), or
- (g) 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—

- (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.

8. The District Court (Fees) Order 2004 (S.I. No. 446 of 2004) is revoked.

SCHEDULE

PART 1

GENERAL

	Item (1)	Fee (2)	Document to be stamped (3)
1	On the issue of a summons (including a summons issued by a Local Authority under the Housing Acts) against one defendant or against several joint defendants or for the attendance of one or more witnesses	€10.00	The original summons
2	On obtaining a copy of an information, a certified copy of an order, signed entry or other document	€10.00	The Court fee card
3	On an application for the removal of a disqualification order	€20.00	The application or the notice
4	On an application for an order, or on a notice of appeal to the District Court	€20.00 (no fee shall be payable for an extension of time for payment of a fine or for an appeal to the Circuit Court)	The notice or application

PART 2

CIVIL PROCEEDINGS

	Item (1)	Fee (2)	Document to be stamped (3)
1	On the issue of a civil summons	€20.00	The original civil summons
2	On lodging any affidavit (other than an affidavit under Order 45 of the District Court Rules 1997)	€10.00	The affidavit
3	On the issue of a summons in the nature of a <i>subpoena ad testificandum</i> or <i>duces tecum</i>	€10.00	The original summons
4	On the issue of a notice of motion	€10.00	The original notice of motion
5	On the issue of a notice of application for compensation under the Malicious Injuries Act 1981	€10.00	The original notice of application
6	On a certificate at the foot of a memorandum for the registration of a decree	€10.00	The certificate or court fee card
7	On the filing of every counterclaim or set off	€10.00	The document filed

PART 3

ENFORCEMENT OF COURT ORDERS PROCEEDINGS

	Item (1)	Fee (2)	Document to be stamped (3)
1	On the issue of a summons for attendance of a debtor	€10.00	The original order or summons
2	On the issue of a summons for committal in default of payment or of a variation summons	€10.00	The original summons

PART 4

LICENSING MATTERS

	Item (1)	Fee (2)	Document to be stamped (3)
1	On an application for a declaration under section 15(1) of the Intoxicating Liquor Act 1960	€135.00	The application
2	On an application for a certificate for the grant of a spirit grocer's or a retail beer dealer's licence-		
	(a) consequent on a declaration of intention to apply for a certificate,	€135.00	The application
	(b) in any other case	€135.00	The application
3	On an application for an interim transfer of a licence or an endorsement under section 28 of the Intoxicating Liquor Act 1960	€135.00	The application
4	On an application for a certificate of transfer of a licence	€135.00	The notice of intention to apply for a certificate
5	On the issue of a certificate of renewal of a licence	€135.00	The certificate or court fee card
6	On an application for a certificate for the grant of a new wholesale beer dealer's licence	€135.00	The notice of intention to apply for certificate
7	On an application for a Special Exemption Order	€300.00	The application
8	On an application for a General Exemption Order	€135.00	The application
9	On an application for an occasional licence	€135.00	The application
9a	On an application under section 23 of the Intoxicating Liquor Act 2000 for the licensing of an Authorised Event at a racecourse or greyhound track	€135.00	The application
10	On an application for an order under section 19 of the Intoxicating Liquor Act 1960	€135.00	The application
10a	On an application for an order under section 20(2) of the Intoxicating Liquor Act 2000	€135.00	The application
10b	On an application for an order under section 20(3) of the Intoxicating Liquor Act 2000	€135.00	The application
11	On an application for a certificate under section 27 of the Intoxicating Liquor Act 1960	€135.00	The application
12	On an application for an order under section 10 of the Intoxicating Liquor Act 1962	€135.00	The application
13	On an application for an authorisation under section 14 of the Intoxicating Liquor Act 1962	€135.00	The application

	Item (1)	Fee (2)	Document to be stamped (3)
14	On an application for an order under section 16 of the Intoxicating Liquor Act 1962	€135.00	The application
15	On an application for an order under section 17 of the Intoxicating Liquor Act 1962	€135.00	The application
16	On an application for a declaration under section 16 of the Intoxicating Liquor Act 1960	€135.00	The application
16a	On an application for a restaurant certificate or a limited restaurant certificate	€135.00	The application
17	On an application for a declaration under section 15(2) of the Intoxicating Liquor Act 1960	€135.00	The application
18	On an application for a certificate of registration of a club	€135.00	The application
19	On an application for an authorisation for an extension of club hours	€135.00	The application
20	On inspecting the Licensing Register or Clubs Register	€28.00	The requisition for inspection or court fee card
21	On an application for a public dancing licence for a period not exceeding one month	€135.00	The application
22	On an application for any other public dancing licence	€135.00	The application
23	On an application for a music and singing licence	€135.00	The application
24	On an application for a certificate for a gaming licence	€135.00	The application
25	On an application for a certificate of qualification to carry on the business of auctioneer or house agent	€135.00	The application
26	On an application for a lottery licence under section 28 of the Gaming and Lotteries Act 1956	€135.00	The application
27	On an application for any other order, declaration, certificate or licence in licensing matters	€135.00	The application
28	On lodging a notice of objection to the renewal of an Intoxicating Liquor Licence	€28.00	The notice

PART 5

APPEALS TO CIRCUIT COURT OTHER THAN APPEALS IN CRIMINAL CASES

	Item (1)	Fee (2)	Document to be stamped (3)
1	On lodgement with the Clerk of the District Court of the notice of appeal	€20.00	The notice

PART 6

CASES STATED

	Item (1)	Fee (2)	Document to be stamped (3)
1	On delivery of a case stated	€20.00	The original case stated

PART 7

PROCEEDINGS UNDER HOUSING (PRIVATE RENTED DWELLINGS) ACT 1982

	Item (1)	Fee (2)	Document to be stamped (3)
1	An application under the above Act (including an appeal under section 26(5))	€10.00	The application or the notice of appeal
2	An order determining an application referred to at 1	€10.00	The order or court fee card

PART 8

APPEALS UNDER BETTING ACT 1931

	Item (1)	Fee (2)	Document to be stamped (3)
1	On every notice of appeal under section 13 of the Betting Act 1931	€150.00	The notice

PART 9

SMALL CLAIMS PROCEDURE

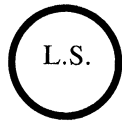
	Item (1)	Fee (2)	Document to be stamped (3)
1	On lodging an application with the Small Claims Registrar	€15.00	The application or court fee card
2	On lodging a Notice of Dispute with a counterclaim with the Small Claims Registrar	€15.00	The notice or court fee card

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



GIVEN under the Official Seal of the Minister of 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 District Court (Fees) Order, 2004 (S.I. No. 446 of 2004).

The Order provides for the fees to be charged in District 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
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