

DISTRICT COURT RULES

S.I. NO. 93 OF 1997

SCHEDULE OF COSTS

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1. SOLICITORS' COSTS IN CIVIL [SUMMARY JUDGMENT] PROCEEDINGS

Amount due at the date of issue of the civil summons	If amount due is paid within ten days of service of civil summons	If amount due is not paid within ten days of service of civil summons
Not exceeding £50	£5	£9
Exceeding £50 and not exceeding £100	8	14
Exceeding £100 and not exceeding £250	11	19
Exceeding £250 and not exceeding £500	15	26
Exceeding £500 and not exceeding £1,000	25	47
Exceeding £1,000 and not exceeding £1,500	33	64
Exceeding £1,500 and not exceeding £2,000	42	81
Exceeding £2,000 and not exceeding £2,500	50	98
Exceeding £2,500 and not exceeding £3,000	60	100
Exceeding £3,000 and not exceeding £3,500	70	105
Exceeding £3,500 and not exceeding £4,000	80	120
Exceeding £4,000 and not exceeding £4,500	90	135
Exceeding £4,500 and not exceeding £5,000	100	150

The above scale of costs shall in every instance be exclusive of and in addition to all actual and necessary outlay.

If the civil summons is defended the costs of the successful party shall be in accordance with the appropriate Contract, Breach of Contract and Tort scale.

2. SOLICITORS COSTS IN CONTRACT, BREACH OF CONTRACT AND TORT PROCEEDINGS AND IN CLAIMS FOR DAMAGES UNCONNECTED WITH CONTRACT

Amount due at the date of issue of civil summons or, (as the case may be) the amount decreed for debt	If case settled before entry	Costs of decree if case not defended	Costs of decree if case defended	Costs of decree if case not defended but notice of intention to defend has been served and lodged	Costs of dismiss
Not exceeding £50	£6	£17	£27	£19	£27
Exceeding £50 and not exceeding £100	9	28	40	32	40
Exceeding £100 and not exceeding £250	19	49	82	56	82
Exceeding £250 and not exceeding £500	28	69	115	79	115
Exceeding £500 and not exceeding £1,000	54	131	218	150	218
Exceeding £1,000 and not exceeding £1,500	76	182	304	209	304
Exceeding £1,500 and not exceeding £2,000	90	217	362	249	362
Exceeding £2,000 and not exceeding £2,500	104	251	419	288	419
Exceeding £2,500 and not exceeding £3,000	117	282	470	329	470
Exceeding £3,000 and not exceeding £3,500	135	324	540	378	540
Exceeding £3,500 and not exceeding £4,000	152	366	610	427	610
Exceeding £4,000 and not exceeding £4,500	170	408	680	476	680
Exceeding £4,500 and not exceeding £5,000	187	450	750	525	750

The above scale of costs shall

- in every instance be exclusive of and in addition to all actual and necessary outlay;
- apply to actions for wrongful detention brought by virtue of section 33 (3) of the Courts (Supplemental Provisions) Act, 1961, according to the value of the goods as determined by the Court;
- apply to actions for wrongful detention arising out of a hire-purchase transaction.

3. SOLICITORS' COSTS IN EJECTMENT PROCEEDINGS INSTITUTED BY CIVIL SUMMONS

Annual Rent	If case settled before entry	Costs of decree if case not defended	Costs of decree if case defended	Costs of decree if case not defended but notice of intention to defend has been served and lodged	Costs of dismiss
	£	£	£	£	£
Not exceeding £53	5	16	18	18	18
Exceeding £53 and not exceeding £100	7	30	35	34	35
Exceeding £100 and not exceeding £250	14	44	70	50	70
Exceeding £250 and not exceeding £500	20	60	92	69	92
Exceeding £500 and not exceeding £1,000	30	86	134	99	134
Exceeding £1,000 and not exceeding £1,500	38	103	163	118	163
Exceeding £1,500 and not exceeding £2,000	44	120	192	138	192
Exceeding £2,000 and not exceeding £2,500	51	138	220	158	220
Exceeding £2,500 and not exceeding £3,000	62	150	250	175	250
Exceeding £3,000 and not exceeding £3,500	75	180	300	210	300
Exceeding £3,500 and not exceeding £4,000	87	210	350	245	350
Exceeding £4,000 and not exceeding £4,500	100	240	400	280	400
Exceeding £4,500 and not exceeding £5,000	112	270	450	315	450

The above scale of costs shall

— in every instance be exclusive of and in addition to all actual and necessary outlay;

— not apply to ejectment proceedings brought before the Court on summons pursuant to section 15 of the Summary Jurisdiction (Ireland) Act, 1851, section 10 of the Summary Jurisdiction (Ireland) Amendment Act, 1871 or sections 81, 84, 85 and 86 of the Landlord and Tenant (Ireland) Act, 1860 — in such proceedings costs shall be in the discretion of the Court and shall not exceed £10.00 in any case unless the Court shall, for special reason, otherwise order;

— apply to ejectment proceedings brought before the Court by civil summons pursuant to section 82 of the Civil Bill Courts (Ireland) Act, 1851 as applied to the District Court by section 17 of the Courts of Justice Act, 1928.

4. SOLICITORS' COSTS IN PROCEEDINGS UNDER THE ENFORCEMENT OF COURT ORDERS ACTS, 1926 AND 1940

COSTS IN RELATION TO INSTALMENT ORDERS

Amount due	Costs
	£
Not exceeding £50	10
Exceeding £50 and not exceeding £100	14
Exceeding £100 and not exceeding £250	17
Exceeding £250 and not exceeding £500	25
Exceeding £500 and not exceeding £1,000	30
Exceeding £1,000 and not exceeding £1,500	45
Exceeding £1,500 and not exceeding £2,000	60
Exceeding £2,000 and not exceeding £2,500	75
Exceeding £2,500 and not exceeding £3,000	90
Exceeding £3,000 and not exceeding £3,500	105
Exceeding £3,500 and not exceeding £4,000	120
Exceeding £4,000 and not exceeding £4,500	135
Exceeding £4,500 and not exceeding £5,000	150
Exceeding £5,000	165

or such greater sum as the Court shall think proper

The above scale of costs shall in every instance be exclusive of and in addition to all actual and necessary outlay.

5. SOLICITORS' COSTS IN PROCEEDINGS FOR COMPENSATION UNDER SECTION 15 OF THE HOUSING (PRIVATE RENTED DWELLINGS) ACT, 1982

Amount of compensation awarded or, in case of dismiss, amount of compensation claimed	Costs if case not defended	Costs if case defended
Not exceeding £100	£ 28	£ 40
Exceeding £100 and not exceeding £250	49	82
Exceeding £250 and not exceeding £500	69	115
Exceeding £500 and not exceeding £1,000	131	218
Exceeding £1,000 and not exceeding £1,500	182	304
Exceeding £1,500 and not exceeding £2,000	217	362
Exceeding £2,000 and not exceeding £2,500	251	419
Exceeding £2,500 and not exceeding £3,000	282	470
Exceeding £3,000 and not exceeding £3,500	324	540
Exceeding £3,500 and not exceeding £4,000	366	610
Exceeding £4,000 and not exceeding £4,500	408	680
Exceeding £4,500 and not exceeding £5,000	450	750

The above scale of costs shall in every instance be exclusive of and in addition to all actual and necessary outlay.

6. SOLICITORS' COSTS IN PROCEEDINGS FOR RECOVERY OF POSSESSION UNDER SECTION 16 OF THE HOUSING (PRIVATE RENTED DWELLINGS) ACT, 1982

Annual Rent	Costs if case settled before entry	Costs if case not defended	Costs if case defended	Costs of dismiss
	£	£	£	£
Not exceeding £53	5	16	18	18
Exceeding £53 and not exceeding £100	7	30	35	35
Exceeding £100 and not exceeding £250	14	44	70	70
Exceeding £250 and not exceeding £500	20	60	92	92
Exceeding £500 and not exceeding £1,000	30	86	134	134
Exceeding £1,000 and not exceeding £1,500	38	103	163	163
Exceeding £1,500 and not exceeding £2,000	44	120	192	192
Exceeding £2,000 and not exceeding £2,500	51	138	220	220
Exceeding £2,500 and not exceeding £3,000	62	150	250	250
Exceeding £3,000 and not exceeding £3,500	75	180	300	300
Exceeding £3,500 and not exceeding £4,000	87	210	350	350
Exceeding £4,000 and not exceeding £4,500	100	240	400	400
Exceeding £4,500 and not exceeding £5,000	112	270	450	450

The above scale of costs shall in every instance be exclusive of and in addition to all actual and necessary outlay.

7. SOLICITORS' COSTS, WHERE AWARDED UNDER THE MALICIOUS INJURIES ACTS, 1981 AND 1986 TO A RESPONDENT OR TO OR AGAINST A RATEPAYER

Amount of compensation claimed	Costs
	£
Exceeding £100 and not exceeding £200	8
Exceeding £200 and not exceeding £600	47
Exceeding £600 and not exceeding £1,100	73
Exceeding £1,100 and not exceeding £2,500	123

The above scale of costs shall in every instance be exclusive of and in addition to all actual and necessary outlay.

8. SOLICITORS' COSTS IN SUMMARY PROCEEDINGS BROUGHT BY SUMMONS FOR THE RECOVERY OF RATES

Amount sued for	Costs if case settled before hearing	Costs after hearing	
	£	£	
Not exceeding £500	12	24	or such greater sum as the Court shall think proper.
Exceeding £500 and not exceeding £1,000	15	30	
Exceeding £1,000 and not exceeding £1,500	25	50	
Exceeding £1,500 and not exceeding £2,500	30	60	
Exceeding £2,500 and not exceeding £5,000	40	80	
Exceeding £5,000	50	100	

The above scale of costs shall in every instance be exclusive of and in addition to all actual and necessary outlay.

9. MISCELLANEOUS COSTS

For drawing each additional copy of a civil summons necessarily served after the first	£
For drawing a witness summons and copies thereof, for attendance at the District Court Office for the purpose of issuing same, and for correspondence as to service	0.81
For attendance in Court not otherwise provided for, where allowed by the Judge, not exceeding	1.88
For service of documents which are required to be served by registered post.	2.81
	0.40

The above costs may be allowed in addition to the costs in the other scales in this schedule.

10. SOLICITORS' COSTS IN CONSENT PROCEEDINGS TO WHICH SECTION 4 (C) OF THE COURTS ACT, 1991 RELATES

Where proceedings of the kind mentioned in paragraph A of section 77 of the Courts of Justice Act, 1924 are brought before the District Court and the amount claimed in such proceedings is in excess of £5,000 and, pursuant to the proviso (inserted by section 4 (c) of the Courts Act, 1991) at the end of the said paragraph A, the necessary parties to the proceedings sign the prescribed form of consent (Form 8A, Schedule C), and the Court in determining such proceedings awards an amount in excess of £5,000, the successful party may be allowed costs in accordance with the foregoing scales in respect of the first £5,000 of the award and, in addition, a sum which represents 5% of the amount by which the award exceeds £5,000.

Where the proceedings are dismissed, the defendant may be allowed costs similarly calculated on the amount claimed.

11. SOLICITORS' COSTS IN ACTIONS TRANSFERRED FROM THE HIGH COURT OR THE CIRCUIT COURT

(1) Where an action, other than an action to which paragraph (2) hereof relates, has been remitted or transferred to the District Court

(a) by the High Court pursuant to section 25 of the Courts of Justice Act, 1924, or

(b) by the Circuit Court pursuant to section 15 (1) of the Courts Act, 1991,

and the Court, in determining the matter, makes an order in favour of the plaintiff, such plaintiff shall not be entitled to recover any greater costs than the appropriate costs as set out in the foregoing scales which he or she would have been entitled to recover if the action had originally been commenced in the District Court. If the plaintiff fails to prove the claim, the defendant shall be entitled, in addition to any costs which may be allowed to him or her under the said scales, to a minimum sum of £50.00 or such greater sum as the Judge may in the circumstances consider proper.

(2) Where an action so remitted or transferred is an action for unliquidated damages and the Court, pursuant to section 15 (2) of the Courts Act, 1991, makes an order awarding to a party to the action an amount in excess of £5,000 but not exceeding £10,000, the successful party may be allowed costs in accordance with the foregoing scales in respect of the first £5,000 of the award and, in addition, a sum which represents 5% of the amount by which the award exceeds £5,000. Where such an action is dismissed, the defendant may be allowed costs similarly calculated on the amount claimed.

SCHEDULE OF COUNSEL'S FEES

1. IN ANY DEFENDED CASE OF CONTRACT, BREACH OF CONTRACT, TORT OR IN CLAIMS FOR DAMAGES UNCONNECTED WITH CONTRACT—

To plaintiff's counsel when the amount recovered, or to defendant's counsel when the amount claimed

(i) exceeds 500 but does not exceed £1,000	£30
(ii) exceeds £1,000 but does not exceed £1,500	£45
(iii) exceeds £1,500 but does not exceed £2,000	£60
(iv) exceeds £2,000 but does not exceed £2,500	£75
(v) exceeds £2,500 but does not exceed £3,000	£90
(vi) exceeds £3,000 but does not exceed £3,500	£105
(vii) exceeds £3,500 but does not exceed £4,000	£120
(viii) exceeds £4,000 but does not exceed £4,500	£135
(ix) exceeds £4,500 but does not exceed £5,000	£150

2. IN ANY DEFENDED CASE OF EJECTMENT FOR OVERHOLDING OR NON-PAYMENT OF RENT—

To plaintiff's or defendant's counsel when the annual rent

(i) exceeds £500 but does not exceed £1,000	£30
(ii) exceeds £1,000 but does not exceed £1,500	£45
(iii) exceeds £1,500 but does not exceed £2,000	£60
(iv) exceeds £2,000 but does not exceed £2,500	£75
(v) exceeds £2,500 but does not exceed £3,000	£90
(vi) exceeds £3,000 but does not exceed £3,500	£105
(vii) exceeds £3,500 but does not exceed £4,000	£120
(viii) exceeds £4,000 but does not exceed £4,500	£135
(ix) exceeds £4,500 but does not exceed £5,000	£150

No additional fee shall be allowed to counsel under paragraphs 1 or 2 above as between party and party for any other work, including preliminary advice, consultation or advice on proofs.

3. COUNSEL'S FEES, WHERE AWARDED UNDER THE MALICIOUS INJURIES ACTS, 1981 AND 1986 TO A RESPONDENT OR TO OR AGAINST A RATEPAYER—

To Counsel when the amount of compensation claimed

(i) exceeds £500 but does not exceed £1,000	£30
(ii) exceeds £1,000 but does not exceed £1,500	£45
(iii) exceeds £1,500 but does not exceed £2,000	£60
(iv) exceeds £2,000 but does not exceed £2,500	£75
(v) exceeds £2,500 but does not exceed £3,000	£90
(vi) exceeds £3,000 but does not exceed £3,500	£105
(vii) exceeds £3,500 but does not exceed £4,000	£120
(viii) exceeds £4,000 but does not exceed £4,500	£135
(ix) exceeds £4,500 but does not exceed £5,000	£150

A fee for counsel may not be included in an award of costs under the above Acts unless the Court certifies that, in its opinion, the employment of such counsel was necessary for the attainment of justice or for enforcing or defending the rights of the party concerned, and no additional fee shall be allowed to counsel as between party and party for any other work, including preliminary advice, consultation or advice on proofs.