

Case study 4 - commercial law - contract - Northern Ireland

Important Points to Note About the Information Provided

It should be noted that it is not possible to give definitive costs and the matters included below are indicative only. Where possible actual fees have been included for certain aspects of the processes but these should be viewed as a guide only. Fees often depend on the tier of court used and the steps involved in the individual case, a full list of court fees charged can be found at the [Northern Ireland Court and Tribunals Service](#).

N/A is shown where the answer is Not Applicable and N/K is shown where the answer is Not Known.

Indicative costs in Northern Ireland

Indicative costs for court, appeals and alternative dispute resolution

Case Study	Court	Initial court fees	Transcription fees	Other fees	Appeals	ADR	Is this option open for this type of case?	Costs
Case A	High Court	£200	Fees are £0.78 pence per folio or CD audio recording £25 per hour (if proceedings are recorded)	£150 if they wish case to be transferred to the Commercial List. £300 setting down fee	Initial court fees £200 (Notice of appeal to the High Court) £500 (Notice of appeal to the Court of Appeal) £200 (Notice of appeal to the High Court) £500 (Notice of appeal to the Court of Appeal)	Variable	Yes	N/K but fees would be as agreed with the mediator. Some information may be available from the Northern Ireland Law Society
Case B	High Court	£200	As above	£150 if they wish case to be transferred to the Commercial List. £300 setting down fee	As above	Variable	Yes	N/K but fees would be as agreed with the mediator. Some information may be available from the Northern Ireland Law Society

Indicative costs for lawyer, bailiff and expert

Case Study	Lawyer	Average costs	Bailiff Is representation compulsory?	Pre-judgement costs	Post-judgement costs	Expert Is use compulsory?	Cost
Case A	No No, but an address for service is required	N/K	-	-	-	No	N/K
Case B	within the jurisdiction	N/K	-	-	-	No	N/K

Indicative costs for witness compensation, pledge or security and other relevant fees

Case Study	Witness compensation Are witnesses compensated?	Pledge or security Does this exist and when and how is it Cost used?	Other fees Cost Description	Cost
Case A them	May be entitled to their expenses from the solicitors who called them	N/K An Order for security for costs exists	There would be fees on interlocutory applications Fees for copy Orders if required.	£115 £10 or £8 if obtained on line
Case B them	May be entitled to their expenses from the solicitors who called them	N/K An Order for security for costs exists	There would be fees on interlocutory applications Fees for copy Orders if required.	£115 £10 or £8 if obtained on line

Indicative costs for legal aid and other reimbursement

Case study	Legal Aid When and under what conditions is it applicable? Civil legal aid is not available for cases arising out of company or partnership law or the carrying on of a business. Note that in this case we assume that both the buyer and seller are businesses.	When is support total?	Conditions?	Reimbursement Can the winning party obtain reimbursement of litigation costs? Reimbursement of costs normally follows the decision on the case.	If reimbursement is not total what is percentage in general?	What costs are never reimbursed?	Are there instances when legal aid should be reimbursed to the legal aid organisation?
Case A		N/A	N/A		Courts Decision	N/K	N/A

Case B	See above	See above	See above	Reimbursement of costs normally follows the decision on the case.	Court Decision	N/K	N/A
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Indicative costs for translation and interpretation

Case study	Translation When and under what conditions is it necessary?	Approximate cost?	Interpretation When and under what conditions is it necessary?	Approximate cost?	Other costs specific to cross-border disputes?	
					Description	Approximate cost?
Case A	If documents to be put before the court are not in English	The Current rate is £120 per 1000 words for every language or 12p per word.	If parties or witnesses do not speak or understand English	Minimum payment of £30.00 per hour.	N/K	N/K
Case B	Documents lodged must be in English	N/K. Documents would be translated into English in the other jurisdiction before being lodged.	If parties or witnesses do not speak or understand English	N/K	Costs of registering the order/ judgement for enforcement if not a European order for enforcement/ payment	£50

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