

In the field of civil justice, pending procedures and proceedings initiated before the end of the transition period will continue under EU law. The e-Justice Portal, on the basis of a mutual agreement with the UK, will maintain the relevant information related to the United Kingdom until the end of 2024.

Costs

Northern Ireland

In this case study on commercial law – responsibility, Member States were asked to advise the customer on litigation costs in order to consider the following situations: Case A – National situation: A heating equipment manufacturer delivers a heater to an installer. The installer on-sells (and installs) the heater to a customer to equip his/her house. The house catches fire shortly thereafter. Every participant (heating equipment manufacturer, installer, end-customer) is insured. The origin of the fire is contested. Nobody wants to compensate the customer. The customer decides to sue for full compensation the heating equipment manufacturer, the heating equipment installer and the insurance companies. Case B – Transnational situation: A heating equipment manufacturer in a Member State B delivers heater to an installer in a Member State C. The installer on-sells the heater (and installs) the heater to a customer in Member State A to equip his/her house. The house catches fire shortly thereafter. Each participant (heating equipment manufacturer, installer, end-customer) is insured by an insurance company in its own Member State. The origin of the fire is contested. Nobody wants to compensate the customer. The customer decides to sue in Member State A for full compensation the heating equipment manufacturer, the heating equipment installer and the insurance companies in Member State A.

Important Points to Note About the Information Provided

Case n° 5 Commercial Law – Responsibility

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			Appeals			ADR	
	Initial court fees	Transcription fees	Other fees	Initial court fees	Transcription fees	Other fees	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	£200 (Notice of appeal to the High Court) £500 (Notice of appeal to the Court of Appeal)	Fees are £0.78 pence per folio or CD audio recording £25 per hour (if proceedings are recorded)	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	£200 (Notice of appeal to the High Court) £500 (Notice of appeal to the Court of Appeal)	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		Bailiff			Expert	
	Is representation compulsory?	Average costs	Is representation compulsory?	Pre-judgement costs	Post-judgement costs	Is use compulsory?	Cost
Case A	No	N/K	-	-	-	No	N/K
Case B	No	N/K	-	-	-	No	N/K

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

Case Study	Witness compensation		Pledge or security		Other fees	
	Are witnesses compensated?	Cost	Does this exist and when and how is it used?	Cost	Description	Cost
Case A	May be entitled to their expenses from the solicitors who called them	N/K	An order for security for costs exists	£115	There would be fees on interlocutory applications Fees for copy orders if required	£115 £10 or £8 if obtained on line
Case B	May be entitled to their expenses from the solicitors who called them	N/K	An order for security for costs exists	£115	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	Reimbursement			
	When and under what conditions is it applicable?	Can the winning party obtain reimbursement of litigation costs?	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	The normal means and merits tests apply (see section: Legal Aid).	Reimbursement of costs normally follows the decision on the case.	N/K		Clients may be liable to pay a contribution depending on their income and capital. (See Case 1A)
Case B	If the case is heard in Northern Ireland, the usual means and merits test will apply.	Reimbursement of costs normally follows the decision on the case.	Court decision	N/K	See above

Indicative costs for translation and interpretation

Case study	Translation			
	When and under what conditions is it necessary?	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.		
Case B	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.		
Case study	Interpretation		Other costs specific to cross-border disputes?	
	When and under which conditions is it necessary?	Approximate cost?	Description	Approximate cost?
	Case A	If parties or witnesses do not speak or understand English	Minimum payment of £30.00 per hour.	N/A
Case B	If parties or witnesses do not speak or understand English	Minimum payment of £30.00 per hour.	Application to register out- going judgement/ order Unless a European enforcement order	£50

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