

ADMINISTRATION OF JUSTICE ORDINANCE
(Chapter 3)

Court Fees (Civil Cases) (Amendment) Rules 1979

No. 3 of 1979.

J. R. W. PARKER,
Governor.

IN EXERCISE of the powers conferred by section 69 of the Administration of Justice Ordinance, the Governor in Council has made the following rules —

1. These rules may be cited as the Court Fees (Civil Cases) (Amendment) Rules 1979 and shall come into operation on the 1st day of October 1979. Citation and commencement.

2. The First, Second and Third Schedules to the principal rules are deleted and the following substituted — Deletion and substitution of Schedules.
(Cap. 3 sub. leg.)

"FIRST SCHEDULE

(Rule 2)

ITEM	FEE
	£ p
1. On sealing writ	10.00
2. On filing a divorce petition	10.00
3. On presenting a petition except where Fee 2 is payable ...	8.00
4. On sealing an originating notice of motion	12.00
5. On amending a writ, petition or originating notices of motion ...	1.00
6. For citation, first (divorce)	2.00
7. For citation, second and subsequent	1.40
8. On entering reply (divorce)	2.00
9. For certifying copy of divorce petition ... ..	.50
10. On filing affidavit ... ..	.50
11. For each witness summoned ... ..	.50
12. On entering defence in action	2.00
13. On entering reply in action	2.00
14. On setting case down for trial	10.00
15. Entering or sealing a judgment decree or order	10.00
NOTE: This fee is payable where a judgment, decree or order is made by consent. Where this fee is paid on a decree nisi in a matrimonial cause no fee is payable on the decree absolute.	
16. On sealing a commission or letters of request for the examination of witnesses abroad	4.00
17. On examination of a witness, including a judgment debtor, before an officer of the Court	4.00
18. On signing, settling or approving an advertisement	1.00
19. For a certificate under the hand of the Judge or the Registrar where no other fee is prescribed ... ..	.50
20. On a certificate by the Registrar as to a judgment or order ...	2.00
21. For a photographic copy of all or any part of any document, for each photographic sheet —	
(a) not over foolscap size ... ..	.20
(b) over foolscap size ... ..	.40
22. For a typewritten copy of any document (subject to a minimum of 25p) ... ..	.08 for each folio of 72 words
23. On filing a notice of appeal to the Supreme Court and setting the appeal down for hearing	12.00
24. On an application to issue a third party notice	4.00

25. Registration of a judgment under the Reciprocal Enforcement of Judgments Ordinance (Cap. 56) or of the Foreign Judgments (Reciprocal Enforcement) Ordinance 1959	2.00
26. On application for leave to issue execution ... ..	.10
27. On the issue of a warrant of execution ... ..	.10 for every £ of the first £100 and .05p for every additional £ for which the warrant issues.
28. On the issue of a warrant of possession —	
(a) not for the recovery of a sum of money	1.00
(b) for the recovery of a sum of money in addition to possession	1.00 in addition to .10p for every £ of the first £100 and .05p for each additional £ for which the warrant issues.
29. On the issue of a warrant of delivery ... ..	.10 for every £ of the first £100 and .05p for each additional £ of the value of the goods to be delivered and costs and damages.
30. For an office copy of the Judge's note ... ..	.10 for each folio of 72 words.
31. For leave to appeal to the Privy Council including recognizance and sealing	40.00
32. On filing a notice of appeal to the Falkland Islands Court of Appeal	12.00
33. Taxing costs ... ..	.10 for every £4.00 or part thereof allowed.
34. Reviewing costs	2.00
35. Warrant for absconding debtor	2.00

SECOND SCHEDULE

(Rule 3)

Fee 1. On entering a complaint.	£	p
(1) for the recovery of a sum of money		
not exceeding	£2.00	.40
exceeding £2.00 but not exceeding	£5.00	.60
" £5.00 " " "	£10.00	1.00
" £10.00 " " "	£25.00	1.50
" £25.00 " " "	£50.00	4.00
" £50.00 " " "	£100.00	10.00
" £100.00 " " "	£250.00	24.00
" £250.00 " " "	£500.00	48.00
" £500.00 " " "	£1,000.00	100.00
(2) for recovery of land:		
(a) on expiration of term of notice to quit		2.50
(b) on forfeiture for non-payment of rent		Fee 1 (1) calculated on rent in arrear.
(3) for delivery of goods		Fee 1 (1) calculated on value of goods.
(4) for any other remedy or relief		10.00
2. On filing a counterclaim		The difference between the fee which would have been payable had the counterclaim been an original claim and the fee paid by the plaintiff.
3. On application for leave to issue a third party notice		1.00
NOTE: The above fees include preparation and service of summons, etc.		
4. (1) On the hearing of a trial or action		An amount equal to that paid under Fee 1.
(2) If the amount claimed and fees are paid into Court more than 2 days before the hearing		One quarter of Fee 4 (1).
(3) If the defendant does not appear or consents to judgment for the plaintiff in Court		One half of Fee 4 (1).

5. On the trial or hearing of a counterclaim	The fee payable under Fee 2.
6. On application for an order for the attendance of a judgment debtor	4.00
7. On application for leave to issue execution ... ..	.20 for every £1.00 of the Judgment Order.
8. On the issue of a warrant of execution ... ..	.20 for every £1.00 for which the warrant issues.
9. On the issue of a warrant of possession:	
(1) not for the recovery of a sum of money	Fee 1 (2) or 1 (3) whichever is applicable.
(2) for the recovery of a sum of money in addition to possession	Fee 9 (1) in addition to .10p for every £1.00 for which the warrant issues.
10. On the issue of a warrant of delivery:	
(1) not for the recovery of damages or costs ... ..	.20 for every £1.00 of the value of the goods to be delivered.
(2) for the recovery of damages or costs in addition to delivery	Fee 10 (1) in addition to .20p in every £1.00 for which the warrant issues.
11. On issue of a judgment summons ... ..	.20 for every £2.00 or part thereof for which the summons issues.
12. On hearing of a judgment summons	Fee 11.
13. On issue of an order for commitment made on a judgment summons ... ..	.20 for every £1.00 for which the order issues.
14. On entering garnishee proceedings	Fee 1 (1).
15. On hearing garnishee proceedings	Fee 4.
16. On the issue of witness summons ... ..	.50p
17. For an office copy of a Magistrate's note ... ..	.40 for each folio of 72 words.

THIRD SCHEDULE

(Rule 4)

	£ p
1. Power of Attorney	5.00
2. Noting a Protest	10.50
3. Extending a Protest	22.00
4. For each copy of a Protest	10.50
5. Protesting Bill of Exchange, Promissory Note	7.50
6. Any other notarial act not specified above	2.00."

Made by the Governor in Council this 22nd day of August 1979.

R. BROWNING,
Clerk of Councils.

Ref. LEG/10/7.

