

SUBORDINATE COURTS ACT
(CHAPTER 6)
MAGISTRATES' COURT (COURT FEES AND COSTS)
RULES

S 7/92

Amended by
S 33/99

REVISED EDITION 2001

(31st January 2001)

SUBSIDIARY LEGISLATION

Rules under section 25

**MAGISTRATES' COURTS (COURT FEES AND COSTS)
RULES**

ARRANGEMENT OF RULES

Rule

PART I

PRELIMINARY

1. Citation.
2. Application.
3. Fees.
4. Costs.

SCHEDULE — COURT FEES

SUBSIDIARY LEGISLATION

Rules under section 25

MAGISTRATES' COURTS (COURT FEES AND COSTS)
RULES*Commencement: 27th March 1992**[S 7/92]***Citation.**

1. These Rules may be cited as the Magistrates' Courts (Court Fees and Costs) Rules.

Application.

2. These Rules shall apply to any proceedings begun in a Magistrates' Court on or after the 27th day of March, 1992.

Fees.

3. The fees and costs set out in the Schedule shall be payable in all proceedings in the Magistrates' Court.

Costs.

4. (1) Subject to sub-rule (2), there shall be no award of fees or costs to a party, other than those set out in the Schedule.

(2) Notwithstanding sub-rule (1) if, before the claim is served, there is an agreement by the party to a contrary effect, the Court may order that the party shall pay the agreed sum, less any amount ordered by the Court under the Schedule.

SCHEDULE*[S 33/99]***COURT FEES****CRIMINAL MATTERS**

1. Bond to keep the Peace	\$ 20
2. Bail Bond	\$ 20
3. Summons	\$ 20
4. Warrant to search or arrest	\$ 40

SCHEDULE — *continued*

5. Service of writ, warrant or subpoena —	
(a) within 8 kilometres of Court House	\$ 20
(b) more than 8 kilometres from Court House	\$ 40
6. Petition of Appeal to High Court	\$ 100

CIVIL MATTERS

7. On filing a plaint or counter-claim for a liquidated sum —	
(a) if the sum does not exceed \$1,000	\$ 80
(b) if the sum is \$1,000 or more but does not exceed \$5,000	\$ 120
(c) if the sum is for \$5,000 or more	\$ 200
8. On filing a plaint or counter-claim where the value of the subject matter is not ascertainable before the action	\$ 120
9. Record of settlement reached out of Court	\$ 20
10. Issue of judgment summons	\$ 40
11. Civil appeal to the High Court	\$ 100
12. Obtaining judgment	\$ 10
13. Application for execution of judgment	\$ 10
14. Warrant of arrest in execution of judgment	\$ 40
15. Warrant of execution against judgment debtor	\$ 40
16. Warrant of committal to prison	\$ 20
17. Commission on sums realised by attachment in execution of a decree	5% on first \$1,000 2½% thereafter
18. If the claim is settled or compromised after issue of order of attachment	Half fees in para. 17
19. Serving writ, warrant or subpoena —	

SCHEDULE — *continued*

(a) within 8 kilometres of Court House	\$ 20
(b) more than 8 kilometres from Court House	\$ 40
20. Subsistence for imprisoned debtor per day	\$ 40
21. Subpoena	\$ 10
22. (a) Attestation of signature, certificate or fact of registration by Magistrate or Commissioner for Oaths	\$ 8
(b) On taking an affidavit, affirmation, declaration or acknowledgement, whether done before a Magistrate or Commissioner for Oaths	\$ 8
(c) For each exhibit or document referred to in a document specified on paragraph (b)	\$ 4
23. Search or inspection — for each hour	\$ 20
24. Copy of record per page	\$ 2
25. Copy of any other document per page	\$ 2
26. Translation of any document or verification of translation by any Court Interpreter or Translator — per page	\$ 20
27. Allowances to witnesses —	
(a) Expert witness. Reasonable travelling expenses and for attendance for each hour or part thereof, up to —	\$ 160
(b) Other witness. Reasonable travelling expenses and for attendance for each hour or part thereof, up to —	\$ 40
28. Application for substituted service	\$ 20

COSTS

29. Costs awarded by a Magistrates' Court shall be —	
(a) not be less than \$400;	
(b) not exceed \$2,000,	
for the first 5 hours of hearing. Thereafter costs shall be not less than \$80 not more than \$400 per hour of hearing	
30. Taxation of bill of costs	\$ 20