

Chapter:	4C	HIGH COURT FEES (IN PRIZE) ORDER	Gazette Number	Version Date
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		Empowering section	25 of 1998	01/07/1997
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Remarks:

Adaptation amendments retroactively made - see 25 of 1998 s. 2

HIGH COURT FEES (IN PRIZE) ORDER

(25 of 1998 s. 2)

(Supreme Court Ordinance (3 of 1873), section 32;
Colonial Courts of Admiralty Act 1890, section 7(1))

[30 April 1940]

(Originally G.N. 1581 of 1941)

Paragraph:	1	Citation	25 of 1998	01/07/1997
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Remarks:

Adaptation amendments retroactively made - see 25 of 1998 s. 2

This order may be cited as the High Court Fees (In Prize) Order.

(25 of 1998 s. 2)

Paragraph:	2	Fees payable in the High Court in Prize	25 of 1998	01/07/1997
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Remarks:

Adaptation amendments retroactively made - see 25 of 1998 s. 2

The fees respectively specified in the Schedule are fixed and appointed to be and shall be taken in the High Court in Prize; and the said fees shall be taken by adhesive stamps.

(25 of 1998 s. 2)

Paragraph:	3	Meaning of folio	25 of 1998	01/07/1997
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Remarks:

Adaptation amendments retroactively made - see 25 of 1998 s. 2

For the purpose of this order, a folio shall be deemed to consist of 72 words, each figure being counted as a word.

Paragraph:	4	Application	25 of 1998	01/07/1997
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Remarks:

Adaptation amendments retroactively made - see 25 of 1998 s. 2

This order shall apply to all causes and matters of Prize.

Schedule:		SCHEDULE	25 of 1998	01/07/1997
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Remarks:

Adaptation amendments retroactively made - see 25 of 1998 s. 2

SUMMONSES, NOTICES, COMMISSIONS AND WARRANTS

	\$	¢
1. On sealing a writ for commencement of a cause	24.00	
2. On sealing an amended writ for commencement of a cause	4.00	
3. On sealing a subpoena, for each witness	2.00	
4. On sealing or issuing a summons	4.00	
5. On filing a notice to have a reference to the Registrar placed in the list for hearing	12.00	
6. On a notice for the issue of any instrument under the seal of the court	16.00	
7. On a commission or letter of request	32.00	
8. On marking a copy of a petition of right for service	6.00	
9. On filing a notice to enter or withdraw a caveat	6.00	

APPEARANCES

10. On entering an appearance or amending the same, for each person	2.00
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COPIES

11. On a copy of a written deposition of a witness to enable a party to print the same, for each folio40
12. On examining a written or printed copy, and marking or sealing same as an office copy, for each folio20
13. On making a copy, and marking same as an office copy, for each folio50
14. On a copy in a foreign language-the actual cost.	
15. On a copy of a plan, map, section, drawing, photograph or diagram-the actual cost.	
16. On a printed copy of an order, not being an office or certified copy, for each folio10

ATTENDANCES

17. On any application, with or without a subpoena, for any officer to attend as a witness, or to produce records or documents to be given in evidence (in addition to the reasonable expenses of the officer), for each day or part of a day he shall necessarily be absent from his office	32.00
<p style="margin-left: 40px;">The officer may require a deposit of stamps on account of any further fees, and a deposit of money on account of any further expenses which may probably become payable beyond the amount paid for fees and expenses on the application, and the officer or his clerk taking such deposit shall thereupon make a memorandum thereof on the application.</p>	

OATHS, ETC

18. On swearing an affidavit or making a declaration, for each person making the same	2.00
19. And in addition thereto for each exhibit therein referred to and required to be marked	1.00

FILING

20. On filing a petition of right	24.00
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21.	For every instrument or document (other than an exhibit, or any instrument or document previously issued from the Registry or the Marshal's office) unless otherwise provided	4.00
22.	On an application to search for an appearance or an affidavit, and inspecting the same	1.00
23.	On an application to search an index, and inspect a pleading, judgment, decree, order, minute or other record, unless otherwise expressly provided for by any Act of Parliament, Ordinance or this Order, for each hour or part of an hour occupied	2.00
24.	Not exceeding one day	8.00

EXAMINATION OF WITNESSES

25.	On the issue for an order for an examination to be taken before the Judge, Registrar or examiner, or for letters of request	4.00
26.	For examining witnesses, except by the Judge or Registrar, viva voce, per day or part of a day	{ from 33.00 to 65.00
27.	On an examination of witnesses by any examiner at a greater distance than 5 kilometres from the Registry, a reasonable sum for travelling and other expenses in addition. (L.N. 397 of 1984) The officer may require a deposit of stamps on account of fees and a deposit of money on account of expenses which may probably become payable beyond any amount paid for fees and expenses upon the examination, and the officer, or his clerk, taking such deposit shall thereupon make a memorandum thereof and deliver the same to the party making the deposit. The officer may also require an undertaking, in writing, to pay any further fees and expenses which may become payable beyond the amount so paid and deposited	
28.	For the examination of witnesses by the Judge or Registrar, whether by interpretation or not, for each witness	16.00
29.	For preparing affidavits as to ship papers (aircraft papers), for every folio	2.00
30.	For sorting and numbering ship papers (aircraft papers)	8.00

HEARING

31.	On entering or setting down, or re-entering or resetting down, any cause or matter for hearing	32.00
32.	On writing for the attendance of assessors on the hearing	8.00
33.	On setting down any petition or a reference	8.00

JUDGMENTS, DECREES, AND ORDERS

On drawing up and entering decrees and orders-

34.	If made in court on the hearing of a cause, or on the hearing of a petition	32.00
35.	If an order of course on a petition of right	8.00
36.	If an order for a commission on a petition of right	16.00
*37.	On any other order including a consent or agreement filed pursuant to Order XXIII, and filing same	8.00
38.	On a memorandum to enter an order nunc pro tunc.	4.00

ON REFERENCES BEFORE A REGISTRAR

39.	On any reference to the Registrar, including examination of witnesses, if any, having regard to the nature and importance of the accounts and other matters, and to the time occupied ..	{	16.00 to 250.00
40.	If the reference occupies more than one day, for each additional day or part thereof a further fee not exceeding		250.00
41.	If the attendance of one or more merchants or other suitable persons is required, for each merchant or such person the same fees as to the Registrar. In cases of great intricacy, or very large amount, occupying more than one full day, larger fees may be taken.	{	16.00 to 250.00
	The fees Nos. 39-41 inclusive, shall be paid in the first instance by the party setting down the reference for hearing, as hereinafter provided:		
+	To the notice mentioned in Order XVII, rule 3, the party setting down shall affix the stamp for the reference, and, if the Registrar shall so require, a deposit in stamps to an amount which in the opinion of the Registrar will cover the reference fees. If any further amount becomes due in respect of the proceedings, such amount shall be paid by the said party, on the report of the result of the reference, or if no report is made, on the completion of the proceedings on the reference, or if not completed, a due proportion shall be paid on so much of the proceedings as shall have taken place, the amount to be fixed by the Registrar. Such further amounts shall be paid by stamps impressed upon or affixed to a memorandum stating on what account such fees are paid.		

IN THE MARSHAL'S OFFICE

42.	On the execution of a warrant or on taking possession of a ship (aircraft) in pursuance of section 16 of the Naval Prize Act ..	32.00
43.	On the execution of an attachment, for every person attached	16.00
44.	On the execution of any decree, order, commission or other instrument, other than those herein provided for, which is required to be executed by a Marshal	16.00
45.	On attending, appointing and swearing appraisers	16.00
46.	On delivering up a ship (aircraft) or goods to a purchaser agreeably to the inventory	32.00
47.	On attending the unlivery of cargo, or sale or removal of a ship (aircraft) or goods, per day	32.00
48.	On retaining possession of a ship (aircraft), with or without cargo, the expenses per day in respect of a shipkeeper (aircraft keeper). The Marshal shall be entitled to his reasonable expenses for travelling, board and maintenance, in addition to the above fees .	
49.	On the sale of any ship (aircraft) or goods sold pursuant to a decree or order of the court, for every \$1000 or fraction of \$1000 gross proceeds realized	10.00
50.	On the release of any ship (aircraft), goods or person from arrest	32.00

TAXATION OF COSTS

51.	On taxing a bill of costs where the amount allowed does not exceed \$100	2.50
52.	Where the amount exceeds \$100, for every \$100 allowed or a fraction thereof	2.50

ON PROCEEDINGS IN THE ACCOUNTS OFFICE OF
THE HIGH COURT

(25 of 1998 s. 2)

53.	On a certificate of the amount and description of any money, funds or securities, including the request thereof	1.50
54.	On a transcript of an account for each opening, including the request therefor	1.50
55.	On a request to the Director of Accounting Services, the Registrar or other official for any of the following purposes: paying, lodging, transferring or depositing money, funds or securities in court without an order, or money in addition to the amount directed by an order to be paid in; paying out of court any money without an order or a certificate of a taxing officer; information in writing in respect of any money, funds or securities, or any transaction in the accounts office (L.N. 16 of 1977; L.N. 453 of 1993)	1.50
56.	On a request for information respecting any money, funds, or securities to the credit of any cause or matter contained in any list prepared by the accountant of causes and matters to the credit of which any money, funds or securities have not been dealt with during 15 years	2.00
57.	On an affidavit for the purpose of paying, transferring or depositing any money, funds or securities in court pursuant to the Trustee Ordinance (Cap 29)	1.00
58.	On preparing a power of attorney	4.00

MISCELLANEOUS

59.	On a fiat of a Judge	4.00
60.	On signing, setting or approving an advertisement	8.00
61.	On taking a recognizance or bond whether one or more than one recognizor or obligor, and whether entered into by all at one time or not	8.00
62.	On assignment of a bond	4.00
63.	By a Commissioner on taking bail	16.00
64.	On a commitment	4.00
65.	On registering in the Registry a power of attorney for a Queen's ship generally and a copy thereof for the accountant general of the Navy	24.00
66.	On registering same specially	8.00
67.	On taking accounts by the Registrar in naval prize matters	4.00
68.	On an inspection of the Register of Bail Bonds	1.00

Note:

* Order XXIII, see S.R. & O. 1939 No. 1466.

+ Order XVII, rule 3, see S.R. & O. 1939 No. 1466.