

FIJI ISLANDS
HIGH COURT ACT
(CHAPTER 13)

HIGH COURT (ADMIRALTY) (AMENDMENT) RULES 1993

IN exercise of the powers conferred upon me by section 25 of the High Court Act, I make the following Rules:

- 1.-(1) These Rules may be cited as the High Court (Admiralty) (Amendment) Rules 1993 and shall come into force on 1 July 1993.
- (2) In these Rules "the principal Rules" means the High Court (Admiralty) Rules.
2. The Schedule to the principal Rules is revoked and replaced by the Schedule hereto.

Made at Suva this 4th day of June 1993.

T. U. TUIVAGA
Chief Justice

SCHEDULE

TABLES OF FEES TO BE TAKEN IN THE HIGH COURT OF FIJI

(ADMIRALTY JURISDICTION)

I - COURT FEES

	\$	c
On administering any oath or declaration in court or in chambers	5.00	
On examination before him of any witness before trial	40.00	
On any motion in chambers	20.00	
On any motion in court	20.00	
On a final decree in an uncontested action	20.00	
On a final decree in a contested action	50.00	
On the assessment of damages, or taking of any account, if assessed or taken by the judge, according to the case	From 20.00 to 50.00	
On signing or certifying any document	5.00	

II - IN THE REGISTRY

1. *For preparing Instruments, etc.*

\$ c

For sealing any writ of summons or other document required to be sealed	10.00
For preparing any warrant, release, commission, attachment, or other instrument, required to be sealed or any bail-bound	5.00
For preparing a receivable order or a receipt for money to be paid out of Court.....	5.00
For preparing and sending any notice	5.00
For preparing any other document, for every folio	5.00

Note.-The fees for preparing shall include drawing and fair copying or engrossing

2. For Filing

On filing any instrument or other document except	10.00
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3. For Evidence, etc.

For administering any oath or declaration, except before the judge.....	5.00
For taking down and certifying the evidence of any witness examined before him, for every folio50

4. For the Trial, etc.

On a final decree in an uncontested action	20.00
On a final decree in a contested action	50.00
For attendance before the judge when any order is made or act done, other than pronouncing a final decree	20.00

Note:- The above fees shall include the entry of the decree or order in the Minute Book

5. For Reference

For hearing any reference, according to the case, per day	From 20.00	
	to 50.00	
For preparing the report of a reference	5.00	

6. For Taxations

For taxing a bill of costs -	
If the bill does not exceed ten folios	20.00
For every folio beyond ten50

7. For Office Copies, etc.

For an office copy of any document, for every folio (in addition to the fee for sealing).....	.40
For a search of the records by any person not a party to the action	5.00

Note - The search-fee is to be charged to a party to the action, or to any seaman

III - BY THE ASSESSORS

For each nautical or other assessor, whether at the examination of witnesses or at the trial of an action, or upon any assessment of damages, or taking of an account, according to the case, per day	From	20.00
	to	50.00

Note - The above fees shall be paid to the Registrar, for the assessors, and in the first instance by the party preferring the claim.

IV - BY A COMMISSIONER TO WITNESSES

For administering any oath or declaration	2.00
For taking down and certifying the evidence of any witness examined before him, for every folio	5.00

V - BY A COMMISSIONER TO TAKE BAIL

For attending the execution of any bail-bond	10.00
For taking any affidavit of justification	5.00

VI - IN THE MARSHAL'S OFFICE

For executing any warrant or attachment	50.00
For keeping possession of any ship, goods, or ship and goods (exclusive of any payments necessary for the safe custody thereof), for each day	20.00

Note - No fee shall be allowed to the Marshal for the custody and possession of property under arrest, if it consists of money in a bank, or of goods stored in a bonded warehouse, or if it is in the custody of a Customs Officer or other authorised person.

On release of any ship, goods or person from arrest	10.00
For attending the unlivery[sic] of cargo, for each day.....	20.00
For executing any commission of appraisement, sale, or appraisement and sale, exclusive of the fees, if any, paid to the appraiser and auctioneer	25.00
For executing any other commission or instrument	10.00
On the gross proceeds of any ship, or goods, etc., sold by order of the Court-	
If not exceeding \$200	20.00
For every additional \$2.00 or part thereof	10.00

Note - If the Marshal, being duly qualified, acts as auctioneer, he shall be allowed a double fee on the gross proceeds.

On a final decree in an uncontested action	30.00
On a final decree in a contested action	50.00

Note - If the Marshal or his officer is required to go any distance in execution of his duties, a reasonable sum may be allowed for travelling, boat-hire, or other necessary expenses in addition to the preceding fees.

VII - BY BARRISTER AND SOLICITOR ACTING AS SOLICITOR

	\$	c
Retaining fee.....	20.00	
For preparing a writ of summons (to include attendances in the registry for sealing the sane)	20.00	
For bespeaking and extracting any warrant or other instrument prepared in the registry (to include attendances)	20.00	
For serving a writ of summons or a subpoena	10.00	
For taking instructions for a petition or answer	40.00	
For drawing a petition or answer	40.00	
For taking instructions for any further pleading	10.00	
For drawing any further pleading	20.00	
For drawing any other document, for every folio	2.00	
For fair-copying or engrossing any document, for every folio	1.00	
For taking instructions for any affidavit (unless made by the barrister and solicitor or his clerk) or for interrogatories or answers, according to the nature or importance thereof	From 10.00	
	to 50.00	
For taking instructions for brief	From 10.00	
	to 50.00	
For attending counsel in conference or consultation	20.00	
For attending to fee counsel	20.00	
For attendance on any motion before the judge-		
If counsel	20.00	
If without counsel	40.00	
For attendance at the trial, for each day	From 40.00	
	to 120.00	
For attendance at the delivery of judgment, if reserved	20.00	
For attendance at the hearing of a reference to the Registrar, for each day-		
If with counsel	From 50.00	
	to 80.00	
If without counsel	From 50.00	
	to 200.00	
For any other necessary attendance before the judge, or in the registry, or on the Marshal, or on the adverse party or barrister and solicitor, in the course of the action	10.00	

Note - Where more than one document can conveniently be filed, or one document can be filed and another bespoken, at the same time, the fee for one attendance only shall be allowed.

For any necessary letter to the adverse party	8.00
For serving any notice	6.00
For extracting and collating any office copy obtained from the registry, for every folio.....	2.00
For correcting the press, for every folio	2.00
For attending the taxation of any bill of costs, not exceeding ten folios	20.00
For every folio beyond ten	2.00

VIII - BY BARRISTER AND SOLICITOR ACTING AS COUNSEL

		\$	c
Retaining fee		40.00	
For settling any pleading, interrogatories or answers, etc	From	40.00	
	to	160.00	
For any necessary consultation in the course of the action	From	40.00	
	to	60.00	
For any motion	From	40.00	
	to	80.00	
For the examination of witnesses before, the trial, for each day	From	60.00	
	to	120.00	
For the trial of an uncontested action		60.00	
For the trial of a contested action, for the first day	From	80.00	
	to	180.00	
For each day after the first	From	60.00	
	to	200.00	
For attending judgment if reserved	From	40.00	
	to	60.00	
