

(LEGAL NOTICE No. 1 OF 1975)

THE COMPANIES REGULATION
(Cap. 9)

NOTICE OF RECOGNITION OF BODY OF ACCOUNTANTS
(Section 178)

In exercise of the powers conferred by section 178 of the Companies Regulation, the following bodies of accountants are hereby declared to be recognised for the purposes of paragraph (a) of subsection (1) of the said section -

The Institute of Chartered Accountants in England and Wales
The Institute of Chartered Accountants of Scotland
The Association of Certified Accountants
The Institute of Chartered Accountants in Ireland
The Institute of Chartered Accountants of Canada
General Accountants Association of Canada.

DATED at Vila this 13th day of February, 1975.

Assistant Resident Commissioner
(in the absence of the Resident
Commissioner, pursuant to s.6(2)
(b) of the New Hebrides Order in
Council 1922).

PUBLISHED AND EXHIBITED at the Public Office of the Resident Commissioner
this 13th day of February, 1975.

J. Simon
Office Superintendent.

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APPENDIX J

PART I - SCALE OF COSTS

	Lower Scale	Higher Scale
	£	£
1. Instructions for and writing letter before action or defence	2.00	4.00
2. Instructions to sue inclusive of preparation, issue, service on one party and affidavit of service of a writ of summons (one defendant only)	10.00	15.00
3. For obtaining and filing any necessary authority or consent	2.00	3.00
4. For taking instructions to sue from each additional plaintiff	2.00	3.00
5. On judgment in default of appearance or defence where no application to the Court or a judge is required including entry of a consent judgment or a judgment after discontinuance	3.00	7.00
6. On any judgment whether in default of appearance or defence or under Order 14 where application to the Court or a judge is required ..	8.00	15.00
7. (a) Instructions to defend inclusive of preparation, filing and service of appearance in respect of one defendant	5.00	10.00
(b) For each additional defendant represented	2.00	3.00
8. In addition to Item 7 for each defendant for whom a guardian <u>ad litem</u> is appointed	2.00	3.00

		Lower Scale \$	Higher Scale \$
9.	Instructions for Statement of Claim inclusive of preparation, filing and service	8.00	15.00
10.	Instructions for Statement of Defence or Counterclaim or Defence and Counterclaim inclusive of preparation, filing and service	8.00	15.00
11.	Instructions for Reply or subsequent pleading or Defence to Counterclaim or Reply and Defence to Counterclaim inclusive of preparation, filing and service	4.00	8.00
12.	Instructions for Summons for Directions inclusive of preparation, filing, service appearance and order, and also subsequent incidental notices such as a notice requiring discovery of documents but not including a notice for further directions which if certified for is to be treated as a fresh summons for directions	6.00	10.00
13.	(a) Instructions for and preparation of list of documents and service thereof	4.00	15.00
	(b) Affidavit verifying list if required	2.00	2.00
14.	(a) Instructions for interrogatories inclusive of preparation of application and proposed interrogatories, filing and service of same, attendance in support, preparing, filing and serving order and perusing answers	15.00	30.00

	Lower Scale \$	Higher Scale \$
(b) Instructions to oppose application for interrogatories and attendance in chambers	7.00	20.00
15. If the interrogatories settled by the order exceed 2 pages then for each additional page or part thereof	0.75	0.75
16. Instructions for answers to interrogatories inclusive of preparation, swearing, filing and service of affidavit	6.00	13.00
17. If foregoing answers exceed 2 pages then for each additional page or part thereof	0.75	0.75
18. Instructions for notice to produce documents or admit facts or documents or any similar notice not otherwise provided for inclusive of preparation, filing and service ..	4.00	8.00
19. If any such notice shall exceed 2 pages then for each additional page or part thereof	0.75	0.75
20. Production or inspection of documents pursuant to notice inclusive of all services incidental thereto	4.00	8.00
21. Instructions for admission of facts pursuant to notice inclusive of preparation, filing, and service	6.00	12.00

	Lower Scale \$	Higher Scale \$
22. (a) Application for entry of action for trial and attendance thereat	10.00	15.00
(b) If pleadings exceed 5 pages for each page of pleadings in excess	0.20	0.20
23. Instructions for and preparing for trial inclusive of instructions for and preparation of brief ..	15.00	60.00
24. Attendance at trial of an action or proceeding	20.00	75.00
25. Brief fee to extra barrister and solicitor in respect of any proceeding if certified for per day	15.00	40.00
26. Refreshers to barrister and solicitor in respect of any proceeding per day	12.00	30.00
27. Originating Summonses or petitions inclusive of all services from instructions to completion as certified for and inclusive of barrister and solicitor's fee thereon for first day of hearing	45.00	90.00
28. Instructions to defend originating summons inclusive of all services from appearance to completion and inclusive also of barrister and solicitor's fee thereon for first day of hearing ..	30.00	75.00

	Lower Scale \$	Higher Scale \$
29. (a) Instructions for and attendance on summonses, motions, and other applications inclusive of all services from instructions to completion not otherwise provided for in this scale ..	8.00	16.00
(b) In addition for each adjourned hearing (unless a refresher fee is allowed) ..	4.00	12.00
(c) In addition if necessary affidavits exceed 3 pages then for each additional page or part thereof	0.75	0.75
30. Preparing and settling a special case	8.00	20.00
31. Argument on special case of question or law as certified for	20.00	75.00
32. Taking accounts, making inquiries and other similar proceedings before the Registration or in chambers per hour	5.00	8.00
33. Matrimonial suits. In accordance with each step in action of this scale, <u>mutatis mutandis</u>		
34. Appeals from inferior courts or from Registrar or Assistant Registrar or other persons or bodies not otherwise provided for inclusive of all services from instructions to completion (but excluding special applications such as for a stay of execution in an appeal	30.00	75.00
35. Payment into or out of Court	2.00	2.00

	Lower Scale \$	Higher Scale \$
36. Instructions for taxation of costs as between party and party inclusive of all services from instructions to completion	6.00	10.00
37. Instructions for any form of execution authorised by any Order where no application to the Court or a judge is required inclusive of all services from instructions to completion	6.00	10.00
38. Instructions for execution where an application to the Court or a judge is required, inclusive of all services from instructions to completion	8.00	20.00
39. Instructions for attachment of debts under Order 48 inclusive of all services from instructions to completion but exclusive of any trial arising under rule 4 or rule 5 the costs of which trial may be separately allowed	6.00	10.00
40. <u>Subpoena ad testificandum</u> and <u>duces tecum</u> including issue and service for each witness	4.00	4.00
41. For preparing and entering a caveat or preparing and issuing a warning thereto	5.00	5.00
42. Service fees: in addition to the above fees the following fees for service may be added in appropriate cases and where service by post is not authorised:-		
(a) For service at a distance of more than 2 miles from the nearest place of business of the serving barrister and solicitor; per mile in excess of 2 miles	0.10	0.10

	Lower Scale	Higher Scale
	\$	\$
(b) If a bailiff is employed: - all necessary and reasonable charges properly incurred and paid		
(c) Where in consequence of the distance involved it is necessary to instruct another barrister and solicitor to arrange for service to be effected ..	2.00	2.00
43. In any case a judge of the Court either at the trial or on notice of motion made within 14 days after judgment is pronounced may certify for an increase in any of the above charges, of such amount as he thinks fit having regard to all the circumstances of the case		
44. For any business not covered by the above scales such as instructions, letters, telephone calls, attendances, etc., the charges in respect thereof shall be calculated on the basis of the scale of costs in the Supreme Court in England subsisting at the 1st January, 1970, but without the addition of any percentage increase.		

PART II - FIXED COSTS

A. Fixed costs are applicable only to the following cases:-

- (1) where the claim is for a debt or liquidated sum in excess of \$1,000.00
- (2) where possession of land is claimed except in suits between landlord and tenant for possession of land or houses where the annual value or rent does not exceed \$1,000.00
- (3) in any other case where the Registrar authorises the endorsement or recovery of such fixed costs, not exceeding those set out in this part, as he may think fit.

Save where expressly otherwise provided the fixed costs allowed in this part include the Court fees and other disbursements recoverable from the other party.

JUDGMENT IN DEFAULT OF APPEARANCE OR OF DEFENCE FOR A DEBT OR LIQUIDATED AMOUNT ONLY OR FOR POSSESSION OF LAND

(The following sums apply whether or not the statement of claim is endorsed on the writ)

1.	On entering judgment for a debt or liquidated amount ..	30.00
	For each extra defendant served	3.00
2.	On entering judgment for possession of land only or for possession of land and a liquidated sum	30.00
	For each extra defendant served	3.00
3.	Additional allowance applicable, unless taxation is ordered:-	
	(1) Where substituted service ordered and effected	10.00
	(2) Where service is ordered and effected out of the jurisdiction	20.00
	(3) If separate judgments against more than one defendant are necessarily entered, for each such additional judgment	5.00

JUDGMENT UNDER ORDER 14

4.	(a) Upon entering judgment after obtaining an order for judgment under Order 14 unless taxation is ordered	40.00
	(b) For each extra defendant	2.50
5.	In addition, for each adjourned hearing unless taxation is ordered	4.00

GARNISHEE PROCEEDINGS

(Order 48)

JUDGMENT CREDITOR'S COST

6.	The costs which may be endorsed on the Garnishee Order Nisi shall be	20.00
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ON ISSUING A WRIT OF FIERI FACIAS, ORDER
OF COMMITTAL OR WARRANT

7. The costs which may be endorsed on the
Writ, Order or Warrant in addition to
Court fees endorsed thereon shall be .. 6.00

For the purpose of proceedings in the Court sitting in the New Hebrides all
fees and costs prescribed in this Appendix shall be read as increased by
20 per centum."

Made this thirteenth day of May 1975.

Jocelyn Bodilly
Chief Justice

G.P. Nazareth
Attorney-General

Approved this thirteenth day of May 1975.

D.C.C. Luddington
High Commissioner