



## High Court Fees, Costs, and Allowances Amendment Regulations 2023

Sir Tom J. Marsters, KBE

King's Representative

### Order in Executive Council

At Avarua, Rarotonga this

7<sup>th</sup>

day of

February,

2023

Present:

### His Excellency the King's Representative in Executive Council

Pursuant to section 102(1) of the Judicature Act 1980-81, His Excellency the King's Representative, acting on the advice and with the consent of the Executive Council, makes the following regulations—

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#### Schedule 1

#### Fees for proceedings in Land Division of High Court

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#### Regulations

- Title**  
These regulations are the High Court Fees, Costs, and Allowances Amendment Regulations 2023.
- Commencement**  
These regulations come into force on the day after they are made.
- Principal regulations**  
These regulations amend the High Court Fees Costs and Allowances Regulations 2023 (the **principal regulations**).

- 4 **Second Schedule replaced (Fees for proceedings in Land Division of the High Court)**  
Replace the Second Schedule (Fees for proceedings in Land Division of the High Court) of the principal regulations with Schedule 1 of these regulations.

**Schedule 1**  
**Fees for proceedings in Land Division of High Court**

<b>Matter for which fee payable</b>	<b>Fee (\$)</b>
1. Filing—	
(a) application for successions—	
(i) for the first 5 lands on 1 island:	50
(ii) for each additional land on same island:	10
(b) application for revocation of succession order—	
(i) for the first 5 lands:	75
(ii) for each additional land:	10
(c) application to summon a meeting of assembled owners ( <b>MOAO</b> )	100
(d) application for an interim injunction:	80
(e) application for partition:	80
(f) application for investigation of title:	80
(g) application for occupation right:	80
(h) application under section 390A of the Cook Islands Act 1915:	100
(i) any other application not otherwise provided for:	80
(j) notice of appeal to a High Court Judge against a decision of a Justice or Justices of the Peace	50
2. Advertising fee for every application that has to be advertised pursuant to Rule 318A of the Code (see Rule 322), per application	50
3. For—	
(a) chairing and recording minutes of MOAO, per legal instrument discussed at the MOAO	50
(b) checking, sealing, and signing any order	55
(c) certifying a copy of a deed, instrument, or any other document, for each page:	3
(d) each search of any Court record book, minute book, block file, Court document, or any other document:	10
(e) issuing a copy of any judgment or order (other than a copy supplied to a party to the proceeding), up to a maximum of \$50, for each page:	2
(f) issuing a copy of any document, other than a judgment or order (other than a copy supplied to a party to the proceeding), up to a maximum of \$50, for each page	2
4. For the transmission of documents by electronic means at the request of a Party (where the document was not provided in electronic form), up to a maximum of \$50, for each page	2
5. For any teleconferencing or videoconferencing made at the request of a party, per hour	100
6. For the cost of service of any document or proceedings by a	

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	Bailiff or Police Officer	25
7.	For removal of goods or properties, cartage, storage, advertising for sale or disposal, the actual cost plus reasonable disbursements	
8.	Registration of any Court order or instrument	25

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Clerk of the Executive Council

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These regulations are administered by the Ministry of Justice.  
These regulations were made on the 07<sup>th</sup> day of February 2023.