

FIJI REPUBLIC GAZETTE SUPPLEMENT

No. 28

FRIDAY, 30th AUGUST

1993

[LEGAL NOTICE NO. 67]

**HIGH COURT ACT
(CHAPTER 13)****HIGH COURT (AMENDMENT) RULES, 1993**

In exercise of the powers conferred upon me by Section 25 of the High Court Act, I hereby make the following Rules:

1—(1) These Rules may be cited as the High Court (Amendment) Rules 1993 and shall come into force on the 9th day of August 1993.

(2) In these Rules unless the context otherwise requires "the principal Rules" means the High Court Rules 1988.

2. Rules 4(3) of Order 3 of the principal Rules is amended by adding the following proviso:

" Provided that wherever the period for filing any pleading or other document required to be filed by these rules or by the Court is extended whether by order of the Court or by consent a late filing fee in respect of each extension shall be paid in the amount set out in appendix II by the Party filing the pleading or other document unless for good cause the Court orders that some or all of the same be waived."

3. Order 4 of the principal Rules is amended by renumbering Rule 1, Consolidation of Proceedings, as Rule 2 and by adding the following Rule 1:

1—(1) Proceedings must ordinarily be commenced in the High Court registry located in the Division in which the cause of action arises. Where a cause of action arises in the Eastern Division proceedings must ordinarily be commenced in Suva.

(2) Applications for Probate or Letters of Administration and resealing made under the provisions of the Succession Probate and Administration Act shall be filed and dealt with at Suva.

(3) proceedings the subject matter of which is within the jurisdiction of a Magistrate's Court must ordinarily be commenced in a Magistrate's Court."

4. Rule 1(3) of Order 12 of the principal Rules is revoked and replaced by the following rule:

"(3) Service of a writ must be acknowledged by properly completing an acknowledgment of service as defined by rule 2, by making a copy of it and by handing in at the Registry out of which the writ was issued the acknowledgment of service together with the copy made thereof."

5. Rule 3 of Order 12 of the principal Rules is revoked and replaced by the following rule:

"3—(1) On receiving an acknowledgement of service an officer of the Registry must:

(a) Affix to the acknowledgement of service and the copy thereof made by the Defendant an official stamp showing the date on which it was received in the Registry;

(b) Enter the acknowledgment in the cause book with a note showing, if it be the case, that the Defendant has indicated in the acknowledgment an intention to contest the proceedings or to apply for a stay of execution in respect of any judgment obtained against him in the proceedings;

(c) hand back the copy of the acknowledgement of service duly stamped to the person who handed in same.

(2) Where a Defendant has acknowledged service of a writ he must on the date on which he acknowledged service serve or send by post to the Plaintiff if the Plaintiff sues in person but otherwise to the Plaintiff's solicitor at the Plaintiff's address for service the copy of the acknowledgment of service handed back to him under paragraph (1)(c)."

6. Rule 9 of Order 32 is amended by revoking paragraphs (k) and (l) and replacing them by the following words:

(k) transfer of proceedings under Order 4 rule 1

(l) Order for pre-trial conference under Order 34 rule 3.
and by adding the following paragraph:

(o) leave to serve writ out of the jurisdiction.

7. Paragraph (4) of Rule 2 of Order 34 of the principal Rules is revoked and replaced by the following paragraph:

"(4) At the conclusion of any such conference the Solicitors attending it shall draw up and sign a minute containing a succinct statement of:

(a) the matters, if any, upon which they are agreed, and

(b) the issues whether of fact, law or procedure remaining for determination by the Court."

8. Paragraph (5) of Rule 2 of Order 34 of the principal Rules is revoked and replaced by the following paragraph:

"(5) When a Solicitor sets an action down for trial or makes a written request for the date of the hearing thereof he must state in writing whether a pre trial conference under this rule has been held and if not must state the reasons therefor."

9. Appendix A to the principal Rules is retitled Appendix 1.

10. Form 1 of Appendix A to the principal Rules is revoked and replaced by Form 1 in Appendix 1 set out in the schedule hereto.

11. Appendices 2, 3, and 4 to the principal Rules are revoked and replaced by Appendices 2, 3, and 4 set out in the Schedule hereto.

Made at Suva this 19th day of July 1993.

T. U. TUIVAGA
Chief Justice

SCHEDULE

APPENDIX 1

FORM 1



WRIT OF SUMMONS

IN THE HIGH COURT OF FIJI
BETWEEN
to THE DEFENDANT [Name]
of [address]

NO. OF 19
Plaintiff

THIS WRIT OF SUMMONS has been issued against you by the abovenamed Plaintiff in respect of the claim set out overleaf.

Within 14 days after the service of this Writ on you, counting the day of service, you must either satisfy the claim or return to the registry mentioned below the accompanying ACKNOWLEDGMENT OF SERVICE stating therein whether you intend to contest the proceedings.

If you fail to satisfy the claim or return the ACKNOWLEDGMENT within 14 days or if you return the ACKNOWLEDGMENT without stating therein an intention to contest the proceedings, the Plaintiff may proceed with the action and judgment may be entered against you forthwith without further notice.

Issued from the High Court registry at [places]

this day of 19

.....
Solicitor for the Plaintiff

NOTE—This writ may not be served more than 12 calendar months after the above date unless renewed by order of the Court.

DIRECTIONS FOR ACKNOWLEDGING SERVICE

The Defendant must acknowledge service in person or by a solicitor by handing in the accompanying form, duly completed, at the High Court registry at [place]

NOTE—Where the writ is indorsed with or served with a statement of claim, if the Defendant acknowledges service, then unless a summons for judgement is served on him in the meantime, he must also serve a defense on the Solicitor for the plaintiff within 14 days after the last day of the time limited for acknowledging service otherwise judgement may be entered against him without notice.

INDORSEMENT OF CLAIM (1)
STATEMENT OF CLAIM (1)

And, where the claim is for a debt or liquidated demand the sum of \$50 (or such sum as may be allowed on taxation) for costs, and also, if the plaintiff obtains an order for substituted service, the further sum of \$25 (or such sum as may be allowed on taxation). If the amount claimed and costs be paid to the plaintiff, (he being resident within the jurisdiction), or his solicitor or agent within 8 days after service hereof (inclusive of the day of service), further proceedings will be stayed.

(1) Delete where not applicable

AFFIDAVIT OF SERVICE

I
make oath and say as follows:

1. I did on the _____ day of _____, 19____
at _____
personally serve
the within-named defendant with a true copy of the within writ of summons which appeared to me to have been regularly issued out of High Court against the abovenamed defendant at the suit of the abovenamed plaintiff and which was dated the _____ day of _____, 19____

2. At the time of the said service the said writ and the copy thereof were subscribed in the manner and form prescribed by the Rules of the High Court.

3. I did also at the time of the said service serve at the within-named Defendant a copy of Summons of the Acknowledgment of Service of the aforementioned Writ

Sworn at

this _____ day of _____ 19____

Before me

A Commissioner of the High Court of Fiji

OF 19

ntiff

bovenamed Plaintiff

of service, you must
the accompanying
ntend to contest the

IT within 14 days or
ention to contest the
y be entered against

fter the above date

APPENDIX 2

FEES—REGISTRY

PART 1—GENERAL FEES

NOTE—The fees prescribed in this Part shall be taken in all causes and matters save where different fees are prescribed are prescribed for the same item in any other part of this Appendix or any Act or rule.

	\$
1. On filing or presenting and sealing any writ, petition, summons or notice of motion for the commencement of any action, cause, matter or proceedings other than an originating ex parte application	50.00
2. On sealing a concurrent or renewed or amended writ, petition, summons or notice	10.00
3. On an originating ex parte application, whether made in Court or in Chambers	20.00
4. On sealing or issuing any notice of motion, summons, writ citation, notice, fiat, certificate or other document unless otherwise provided for	10.00
5. On issuing a summons under the Reciprocal Enforcement of Judgments Act or the Foreign Judgments (Reciprocal Enforcement) Act for leave to have a judgment registered	10.00
6. On entering an appearance	10.00
7. On amending an appearance	10.00
8. On filing in the High Court a notice of appeal or a special case or a scheme pursuant to an Act and setting down the appeal or special case or scheme for hearing, other than an appeal from a magistrate's court under the provisions of the Magistrate's Courts Act and the Magistrate's Courts Rules	50.00
9. On sealing a notice of appeal from the Chief Registrar or a Deputy Registrar to a judge in chambers	20.00

10.	On sealing an order for entry for trial of any action, cause, matter or proceedings for hearing in Court (other than a matrimonial cause) and hearing	25.00
11.	On adjourning an originating summons from chambers into Court .	20.00
12.	On setting down a point of law for hearing in Court (No additional fees will be payable under Item 10 if later entered for trial)	25.00
13.	On setting down a cause on summons or motion for judgment under Order 19 Rule 7	10.00
14.	On sealing a commission or letter of request for the examination of witnesses abroad	20.00
15.	On the examination of a witness before an officer of the Court or a special examiner (including the examination of a judgment debtor) or before trial by a judge: (a) In any action, cause, matter or proceedings pending in the High Court	20.00
	(b) In any other matter	25.00
16.	On entering or sealing any order made in chambers	10.00
17.	On entering or sealing a judgment, decree or order (other than a decree in a matrimonial cause) given, directed or made in Court (This includes the fee for settling the judgment, decree or order)	15.00
18.	On entering or sealing a judgment without an order or pursuant to an order made in chambers	10.00
19.	On sealing a writ of subpoena (to include not more than three names)	10.00
20.	On sealing a writ of execution (including a writ of attachment).....	10.00
21.	On sealing a garnishee order nisi or a charging order nisi	10.00
22.	(a) On filing any document unless otherwise provided for..... (This fee is not payable on filing a document already stamped with a fee prescribed in this Appendix or on filing a legal submission, skeleton argument or list of authorities or on filing a notice withdrawing a cause or an appeal)	5.00
	(b) Late filing fee (provision to Order 3 rule 4(3)	20.00
	(provided that the Chief Registrar may for special reason waive this fee in whole or in part)	

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\$

50.00

10.00

20.00

10.00

10.00

10.00

10.00

50.00

20.00

23. On any one search	5.00	
24. For any certificate unless otherwise provided for	5.00	
25. (a) For supplying a typed, carbon or duplicated copy of any judgment, order, decree, document or proceedings-per page (with a minimum fee of \$0.50)	0.50	
(Provided that the Chief Registrar may, for special reason, waive this fee in whole or in part)		
(b) For a copy, other than a photocopy, in a foreign language or for a copy of a plan, map, section, drawing, photograph or diagram		The reasonable costs thereof as certified by the Chief Registrar
26. For supplying a transcript of notes of proceedings per page (with a minimum fee of \$5.00)	5.00	
(Provided that the Chief Registrar may, for special reason waive this fee in whole or in part)		
27. For a supplying a photocopy of any document, per page	0.30	
28. For certifying or marking any document as an office copy or a true copy-per page (with a minimum fee of \$1.00 and a maximum fee of \$10.00)	0.40	
29. Upon an application for the production of records or documents to be given in evidence:		
(a) where the records or documents are sent by post	5.00	
(b) where an officer is required to attend whether on subpoena or not, his reasonable expenses and in addition for each day or part of a day he is necessarily absent from his office	15.00	
30. (a) On administering any oath or declaration (except in Court) or taking an affidavit or an affirmation; for each deponent	1.00	
(b) In addition for each exhibit required to be marked	0.50	
31. On taking a recongnizance or a bond or vacating same	3.00	
32. On filing a bill of costs and obtaining an appointment to tax:		
For a bill not exceeding \$100	15.00	
For a bill exceeding \$1.00 but not exceeding \$200	20.00	
For a bill exceeding \$200	16.00	
(This fee is to be paid on the amount claimed in the bill. No additional fee is payable for the taxation)		
33. On a certificate of allocatur	5.00	
34. On a sealing or issuing a commission to take oaths or affidavits in the High Court	25.00	
35. Where the Chief Registrar or a Deputy Registrar is required to perform any duties away from his office:		reasonable expenses
For his travelling, lodging and subsistence		

**PART 2—COURT FEES IN PROBATE ACTIONS, PROCEEDINGS AND MATTERS
(CONTENTIOUS AND NON-CONTENTIOUS BUSINESS)**

38. On the issue of a grant of Probate or Letters of Administration with or without the Will annexed:

If the net real and personal estate is sworn to be under the value of:

\$	\$
2,400	6.00
4,000	12.00
6,000	16.00
8,000	20.00
10,000	24.00
12,000	28.00
14,000	32.00
16,000	36.00
18,000	40.00
20,000	44.00
24,000	48.00
28,000	52.00
32,000	56.00
36,000	60.00
40,000	68.00
50,000	80.00
60,000	92.00
70,000	100.00
80,000	108.00
90,000	116.00
100,000	132.00
120,000	144.00
140,000	156.00
160,000	168.00
180,000	180.00
200,000	192.00
240,000	204.00
280,000	216.00
320,000	228.00
360,000	240.00
400,000	256.00
500,000	272.00
600,000	288.00
750,000	304.00
800,000	324.00
1,000,000	344.00

38. For every additional \$200,000 or any fractional part of \$200,000 a further and additional fee of 60.00

39.	On the issue of a duplicate or triplicate Probate or Letters of Administration with or without the Will annexed	10.00
40.	On the issue of double or cessate Probate or Letters of Administration with or without the Will annexed, de bonis non or cessate	10.00
41.	On the issue of a grant of Probate of a Codicil or Codicils, or Letters of Administration with a Codicil or Codicils annexed, being a Codicil or Codicils to a Will already proved	5.00
42.	For re-sealing a grant or sealing an exemplification or copy under the British and Colonial Probates Act exclusive of the fees, if any, for every issuing and collating the will and other documents filed with the same but including sealing	10.00
43.	For giving notice of re-seal	5.00
44.	For making alterations in grants of Probate or Letters of Administration in pursuance of the order of a judge	5.00
45.	For revocation of a grant	5.00
46.	For impounding a grant, or releasing an impounded grant (inclusive fee)	10.00
47.	For noting a re-swearing of value and certificate or security (inclusive fee)	5.00
48.	For noting on a grant and the record the addition of a personal representative (including filing and affidavit)	5.00
49.	For noting on record of grant that an executor to whom power was reserved has renounced (inclusive fee)	5.00
50.	For the entry or withdrawal of a caveat	5.00
51.	On the issue of a warning to a caveat	5.00
52.	For service by the Chief Registrar of a warning to a caveat	5.00
53.	For settling the abstract of citation for advertisement, or other advertisement	5.00
54.	For settling and sealing a citation (inclusive fee)	10.00
55.	On sealing extra copies of the citation: for each such copy	10.00
56.	On the issue of an exemplification, in addition to the fees for collating	10.00

57.	For collating Wills and other documents, per page	5.00
58.	For 3 photocopies of Will for engrossment on grant, copy grant and copy oath, including impressing the seal of the Court, per page	0.30
59.	For noting renunciations, or any other necessary matter on the record of a grant	10.00
60.	For perusing and settling oaths to lead to grant of Probate or Letters of Administration with or without Will or other instruments—per page	5.00
61.	For perusing deeds and other documents when necessary—per page	0.50
62.	On filing of an affidavit including renunciation, power of Attorney, novation and authority	5.00
63.	For certifying a copy of a grant	5.00
64.	For supply of forms for probate or letters of administration, per form	0.30
65.	On filing of Oath of Executor or Administrator	5.00
66.	On filing of Administration Bond	5.00
67.	On filing of Justification of Sureties	5.00
68.	On filing of Supplementary Affidavits	5.00

APPENDIX 3

SHERIFFS FEES SERVICE

1.	For receiving and entering process for service	5.00
2.	For service of any process:	
	(a) within 3 km from the nearest Deputy Sheriff's office	5.00
	(b) exceeding 3 km from the nearest Deputy Sheriff's office, for every additional km, in addition to (a)	0.50

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3.	Receiving and entering Writ of Execution	5.00
4.	Receiving and entering order of suspension of execution	5.00
5.	On every enlargement of return	3.00

6.	Poundage for every \$20 or part thereof	2.00
7.	Precept to bailiff	5.00
8.	Seizure or collection of the sum endorsed on the Writ of Execution without seizure:	
	(a) within 3 km of nearest Deputy Sheriff's office	8.00
	(b) exceeding 3 km from the nearest Deputy Sheriff's office, for every additional km, in addition to (a)	0.50
9.	For man:	
	(a) in actual physical possession, per diem	20.00
	(b) in walking possession, per diem	5.00
10.	In the event of a nulla bona return being rendered after due inquiries: for time spent making inquiries	10.00
11.	Commission on sale (for every \$20 or part thereof)	2.00
12.	Delivery of goods in replevin:	
	(a) within 3 km of the nearest Deputy Sheriff's office	4.00
	(b) exceeding 3 km from the nearest Deputy Sheriff's office, for every additional 3 km in addition to (a)	0.50
13.	For taking a replevin bond	6.00
14.	For assignment of replevin bond	4.00
15.	For taking a bond of indemnity	6.00
16.	When goods or animals are removed, for warehousing and taking charge of the same (including feeding of animals) \$2.00 for each \$40 or part thereof of the value of the goods or animal removed or of the sum endorsed on the writ of execution, whichever is the less. No fee for keeping possession of the goods or animals is to be charged after they have been removed.	
17.	For work done by Sheriff's officer in inquiring into any claim for rent or claim to the goods	10.00
18.	Preparing notice to execution creditor to admit or dispute claim and sending same by post	5.00
19.	For taking and handing over possession of property specified in writ of possession—	
	(a) per man, per diem	20.00
	and	
	(b) travelling expenses, per km	0.50

ARREST

		\$
20.	Preparing notice to execution creditor to admit or dispute claim and sending same by post	5.00
21.	Precept to bailiff	5.00
22.	For every arrest or collection of the amount endorsed on the warrant by way of payment or deposit without arrest:	
	(a) within 3 km of Deputy Sheriff's office	10.00
	(b) exceeding 3 km from the nearest Deputy Sheriff's office for every additional km, in addition to (a)	0.50
23.	For conveying to court or to prison from place of arrest, not exceeding per diem, in addition to reasonable travelling expenses actually incurred	15.00
24.	On a release on bail or a bond, where authorised and filing bail bond	5.00
25.	for assignment of bail bond	5.00

GENERAL

26.	Receiving and entering any process not otherwise provided for	5.00
27.	For executing a search warrant in bankruptcy or process for possession, attachment or committal or for collecting any sum entered on any process without execution:	
	(a) within 3 km from the nearest Deputy Sheriff's office	8.00
	(b) exceeding 3 km from the nearest Deputy Sheriff's office per 3 km, in addition to (a)	0.50
28.	For any duty not herein provided for	
29.	Reasonable expenses, additional or otherwise, necessarily incurred in all matters, including subsistence allowance payable to bailiff	
30.	For Sheriff or his Deputy attending court on the hearing of interpleader proceedings:	
	per hour or part thereof	5.00

APPENDIX 4

COSTS

PART 1—SCALE OF COSTS

(DISCRETION OF TAXING OFFICER)

	<i>Lower Scale \$</i>	<i>Higher Scale \$</i>
1. Instructions for and writing letter before action or defence	10.00	20.00
2. Instructions to sue inclusive of preparation, issue, service on one party and affidavit of service of a writ of summons (one defendant only)	25.00	30.00
3. For obtaining and filing any necessary authority or consent	6.00	10.00
4. For taking instructions to sue from each additional plaintiff	6.00	10.00
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	15.00	25.00
6. On any judgment whether in default of appearance or defence or under 0.14 application to the Court or a judge is required	20.00	30.00
7. (a) Instructions to defend inclusive of preparation, filing and service of appearance in respect of one defendant	20.00	30.00
(b) For each additional defendant represented	6.00	10.00
8. In addition to Item 7 for each defendant for whom a guardian ad litem is appointed	4.00	8.00
9. Instructions for Statement of Claim inclusive of preparation, filing and service	30.00	50.00

			<i>Lower Scale \$</i>	<i>Higher Scale \$</i>
		10.		
		Instructions for Statement of Defence or Counterclaim or Defence and Counter-claim inclusive of preparation, filing and service	30.00	50.00
		11.		
		Instructions for Reply or subsequent pleading or Defence to Counterclaim or Reply and Defence to Counter-claim inclusive of preparation filing and service	10.00	20.00
<i>Lower Scale \$</i>	<i>Higher Scale \$</i>	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 it to be treated as a fresh summons for directions	15.00	25.00
		13.		
		(a) Instructions for and preparation of list of documents and service thereof	15.00	25.00
		(b) Affidavit verifying list if required	15.00	10.00
		14.		
		(a) Instructions for interrogatories inclusive of preparation of application and proposed interrogatories, filing and service of same, attendance in support, preparing, filing and werving order and perusing answers	35.00	60.00
		(b) Instructions to oppose application for interrogatories and attendance in chambers	25.00	30.00
		15.		
		If the interrogatories settled by the order exceed 2 pages then for each additional page or part thereof	2.00	5.00
		16.		
		Instructions for answers to interrogatories inclusive of preparation swearing, filing and service of affidavit	15.00	25.00
		17.		
		If foregoing answers exceed 2 pages then for each additional page or part thereof	2.00	5.00
		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	10.00	20.00
		19.		
		If any such notice shall exceed 2 pages then for each additional page or part thereof	2.00	5.00

	<i>Lower Scale \$</i>	<i>Higher Scale \$</i>
20. Production or inspection of documents pursuant to notice inclusive of all services incidental thereto	10.00	20.00
21. Instructions for admission of facts pursuant to notice inclusive of preparation, filing and service	15.00	25.00
22. (a) Application for entry of action for trial and attendance thereat	20.00	40.00
(b) If pleadings exceed 5 pages for each page of pleadings in excess	1.00	3.00
23. Instructions for and preparing for trial inclusive of instructions for and preparation of brief	25.00	30.00
24. Attendance at trial of an action or proceeding	100.00	200.00
25. Brief fee to extra barrister and solicitor in respect of any proceeding if certified for per day	45.00	90.00
26. Refreshes to barrister and solicitor in respect of any proceeding per day	45.00	90.00
27. Originating summonses or petitions inclusive of all services from instructions to completion as certified for an inclusive of barrister and solicitor's fee thereon for first day of hearing	100.00	200.00
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	100.00	200.00
29. (a) Instructions for and attendance on summonses, motions and other application inclusive of all services from instructions to completion not otherwise provided for in this scale	20.00	30.00
(b) In addition for each adjourned hearing (unless a refresher fee is allowed)	15.00	25.00
(c) In addition if necessary affidavit exceed 3 pages then for each additional page or part thereof	2.00	5.00
30. Preparing and settling a special case	30.00	50.00

Higher Scale \$		Lower Scale \$	Higher Scale \$
	31. Argument on special case or question of law as certified for	100.00	200.00
20.00			
	32. Taking accounts, making inquiries and other similar proceedings before the Chief Registrar or in chambers per hour	15.00	25.00
25.00			
	33. Matrimonial suits. In accordance with each step in action of this scale, mutatis mutandis		
40.00			
3.00			
	34. Appeals from inferior courts or from Chief Registrar or Deputy Registrar or other persons or bodies not otherwise provided for inclusive of all services from instructions to completion (but excluding special applications such for a stay of execution in an appeal	100.00	200.00
30.00			
200.00			
	35. Payment into or out of Court	5.00	10.00
90.00			
	36. Instructions for taxation of costs as between party and party inclusive of all services from instructions to completion	15.00	25.00
90.00			
	37. Instructions for any form of execution authorised by any rule of Orders 45, 46 and 47 where no application to the Court or a judge is required inclusive of all services from instructions to completion	15.00	25.00
200.00			
	38. Instructions for execution where an application to the Court or a judge is required inclusive of all services from instructions to completion	25.00	35.00
200.00			
	39. Instructions for attachment of debts under Order 49 inclusive of all services from instructions to completion but exclusive of execution under Rule 4 or of any trial under Rule 5 or 6 the costs of which execution or trial may be separately allowed	15.00	25.00
30.00			
25.00			
	40. Subpoena ad testificandum and duces tecum including issue and service for each witness	8.00	15.00
5.00			
	41. For preparing and entering a caveat or preparing and issuing a warning thereto	10.00	20.00
50.00			

	<i>Lower Scale \$</i>	<i>Higher Scale \$</i>
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 3 km from the nearest place of business of the serving barrister and solicitor, per km in excess of 3 km	0.35	
(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	5.00	10.00
43. In any case a judge of the High Court either at the trial or on notice of made within 14 days after judgment is pronounced may certify for an increase in any of the above charge. Of such amount as he thinks fit having regard to all the circumstances of the case.		
44. Fees which may be taken by Commission for Oaths shall be as in Item 30 of Appendix 2.		
45. For preparation by the Chief Registrar of an apostille in pursuance of the Hague Convention, 1961	25.00	
46. For any business not covered by the above scales such as instructions, letters, telephone calls attendances, etc. the charges in respect thereof shall be as the Chief Registrar may determine.		

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 \$600.00,
 - (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 \$800.00,
 - (3) in any other case where the Chief Registrar authorises the endorsement or recovery of such fixed costs, not exceeding those set out in this part, as he may think fit.
- B. Save where expressly otherwise provided the fixed costs allowed in this part include the Court fees and other disbursements recoverable from the other party.

EIGHT—DAY COSTS

- | | |
|--|-------|
| 1. The amount of costs indorsed on a writ of summons claiming a liquidated demand only, under Order 6, Rule 2(1)(b), whether indorsed with a statement of claim or not shall be: | \$ |
| If one defendant | 40.00 |
| For each extra defendant | 5.00 |
| 2. In addition to the above the following may be added to provided for the contingency of substituted service | 15.00 |
| 3. Where service out of the jurisdiction is ordered the following additional allowances shall be added | 25.00 |

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 indorsed on the writ)

- | | |
|--|-------|
| | \$ |
| 4. On entering judgment for a debt or liquidated amount | 35.00 |
| For each extra defendant served | 10.00 |
| 5. On entering judgment for possession of land only or for possession of land and a liquidated sum | 35.00 |
| For each extra defendant served | 10.00 |
| 6. Additional allowances applicable, unless taxation is ordered: | |
| (1) Where substituted service ordered and effected | 25.00 |
| (2) Where service is ordered and effected out of the jurisdiction | 35.00 |
| (3) Moneylender's cases— | |
| Application for leave to enter judgment under Order 83, Rule 4 | 25.00 |
| (4) If separate judgments against more than one defendant are necessarily entered, for each such additional judgment | 19.00 |
| 7. (a) Upon entering judgment after obtaining an order for judgment under Order 14 unless taxation is ordered | 60.00 |
| (b) For each extra defendant | 10.00 |
| 8. In addition, for each adjourned hearing unless taxation is ordered ... | 20.00 |

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Higher
Scale
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GARNISHEE PROCEEDINGS
(Order 49)

JUDGMENT CREDITOR'S COSTS

9. The costs which may be endorsed on the Garnishee Order Nisi shall be 50.00

ON ISSUING A WRIT OF FIERI FACIAS, ORDER OF
COMMITTAL OR WARRANT

10. The costs which may be endorsed on the Writ, Order or Warrant in addition to Court fees endorsed thereon shall be 20.00

[LEGAL NOTICE No. 68]

COUNTER-INFLATION ACT
(CHAPTER 73)

COUNTER-INFLATION (PRICE CONTROL) (PETROLEUM PRICES)
(NO.26) ORDER, 1993

In exercise of the powers conferred upon it by Sections 9 and 23 of the Counter-Inflation Act, the Prices and Incomes Board, with the approval of the Minister of Finance and Economic Planning, has made the following Order -

Short title, etc.

1. This Order may be cited as the Counter-Inflation (Price Control) (Petroleum Prices) (No.26) Order, 1993 and shall come into force on 30 July 1993.

*Maximum Prices:
Schedule 1*

2. - (1) The prices set out in Schedule 1 shall be the maximum retail or wholesale prices, as the case may be, at which the goods therein specified may be sold within the Cities of Suva and Lautoka and the town of Lami.

Schedule 2

(2) The prices set out in Schedule 2 shall be the maximum retail or wholesale prices, as the case may be, at which the goods therein specified may be sold within the towns of Ba, Nadi and Nausori and the following areas -

- (a) from the prescribed boundary of the City of Suva to the prescribed boundary of the town of Nausori, to a width of 3 kilometres from the centre point of the King's Road on both sides of that road;
- (b) from the prescribed boundary of the City of Lautoka to the prescribed boundary of the town of Nadi, to a width of 3 kilometres from the centre point of the Queen's Road on both sides of that road; and
- (c) from the prescribed boundary of the City of Lautoka to the prescribed boundary of the town of Ba, to a width of 3 kilometres from the centre point of the King's Road both sides of that road.