

THE WESTERN PACIFIC COURTS ORDERS 1961 TO 1971  
THE HIGH COURT (CIVIL PROCEDURE) (AMENDMENT) (NO.2)  
RULES 1975

IN exercise of the powers conferred by section 22(1) of the Western Pacific (Courts) Orders 1961 to 1971, the Rules Committee with the approval of the High Commissioner for the Western Pacific hereby makes the following Rules :-

1. These Rules may be cited as the High Court (Civil Procedure) (Amendment) (No. 2) Rules 1975, and shall come into operation on the twelfth day of December 1975.

2. Appendix I to the High Court (Civil Procedure) Rules 1964 is hereby amended by substituting for Parts I, II and III thereof the following new Parts :-

"PART 1

(O. 68, r.1)

FEEs ON SUMMONS, MOTIONS, ETC.

DIVISIONS 1 - CIVIL CAUSES

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On summons where the amount involved does not exceed \$10.00 .....	2.00
On summons where the amount involved exceeds \$10.00 but does not exceed \$20.00 .....	4.00
On summons where the amount involved exceeds \$20.00 but does not exceed \$50.00 .....	6.00
On summons where the amount involved exceeds \$50.00 but does not exceed \$100.00 .....	8.00
On summons where the amount involved exceeds \$100.00, for each \$100.00 or part thereof (but not to exceed \$40.00) .....	8.00
On summons or citation where judicial relief is sought but not the recovery of money or property and where the amount involved cannot be estimated .....	24.00
On judgment debtor summons .....	4.00

On interpleader, on the value of the property involved for each \$200.00 or part thereof (but not to exceed \$40.00) .....	8.00
On filing motion paper .....	4.00
On making verbal application to Registrar ....	6.00
On any amendment .....	2.00
On hearing: a fee of the same amount as the fee payable on the issue of a summons but if the Defendant admits the claim or makes default, half the amount of such fee.	

DIVISION 2 - APPEALS IN CIVIL CAUSES

On filing motion for leave to appeal to the Court from a Magistrate's Court .....	2.00
On leave being granted to appeal to the Court from a Magistrate's Court .....	2.00
On filing appeal from Customary Land Appeal Court .....	25.00

PART II

(o.68, r. 1)

FEES ON AFFIDAVITS, APPLICATIONS, ETC.

DIVISION 1 - EXECUTION IN CIVIL PROCEEDINGS

On issuing writ of execution against property for less than \$100.00 .....	4.00
On issuing writ of execution against property for \$100.00 or upwards .....	8.00
On issuing writ of possession .....	8.00

DIVISION 2 - MISCELLANEOUS CIVIL MATTERS

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On every subpoena .....	1.00
On swearing affidavit or making declaration if not otherwise specifically charged (for each deponent) .....	2.00
On marking every exhibit or document annexed to an affidavit or declaration .....	1.00

On marking every exhibit or document put in evidence in any cause or matter before the Court or referee or arbitrator appointed by the Court or agreed on between the parties	1.00
On attesting signature of a document or execution of a deed for each document or deed and each copy thereof (irrespective of the number of parties) .....	2.00
On certifying a copy of a document as an office copy, if not otherwise specifically charged, for each page -	
(a) of AL ISO size, foolscap or smaller	1.50
(b) of larger size .....	2.00
On affixing the seal of the Court to any document not in a proceeding .....	4.00
On granting certificate of purchase of land sold under a decree, for every \$50.00, and also for every fractional part of \$50.00, of the purchase money .....	2.00
On every formal decree .....	2.00
On every order drawn up, and every office copy of an order (if not otherwise specifically charged) .....	4.00
On filing any document .....	1.00
On payment of money into Court in satisfaction of claim, or the amount paid in .....	2.00
On issuing writ of habeas corpus .....	2.00
On warrant for prisoner to give evidence .....	4.00
On warrant for witness .....	4.00
On writ of foreign attachment .....	32.00
On warrant of arrest .....	4.00
On warrant or order of attachment against property where the value of the property does not exceed \$100.00 .....	4.00
On warrant or order of attachment against property where the value of the property exceeds \$100.00 but does not exceed \$200.00 .....	8.00
On warrant or order of attachment against property where the value of the property exceeds \$200.00	16.00
On order to show cause .....	2.00

On order of reference to referees, etc. ....	12.00
On the hearing of a reference before an official referee or deputy official referee, for every day or part of a day .....	24.00
On commission to take evidence .....	8.00
On justification of each surety .....	2.00
On every bond not otherwise specifically changed	4.00

PART III

(O. 68, r. 1)

FEEES FOR PARTICULAR DUTIES

DIVISION 1 - SERVICE

For the service of writ of summons or subpoena or any other process on each defendant or witness .....	2.00
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In addition to the preceding fee where service is to be effected on any person more than two miles from the nearest Court House and where that journey is to be performed by land, a fee of 20 ¢ per mile with a minimum fee of 20 ¢. The amount of the fee payable under this item is to be calculated without reference to the return journey. In addition to the preceding fees, reasonable travelling expenses actually incurred by the officer effecting service.

Preparing affidavit of service, by order of the Court .....	0.50
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Swearing affidavit of service, by order of the Court .....	0.50
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DIVISION 2 - EXECUTION

Personal arrest, including arrest on order of committal or attachment .....	4.00
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For execution of every writ or warrant against property .....	8.00
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Man in possession, when necessary, each day .....	2.00
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For sale under execution or distress warrant, including the receipt of the purchase money and delivery of the property. On the amount of the purchase money .....	5 per cent
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For conveying a person to prison from place of arrest, a fee not exceeding \$1.00 per day with reasonable travelling expenses actually incurred

For executing writ of possession or delivery 8.00

DIVISION 3 - INTERPRETATION IN  
CIVIL CAUSES

On request for an interpreter ..... 1.00

DIVISION - MISCELLANEOUS

For taking and putting into writing the statement of any person by direction of the Court ..... 2.00

For taking inventory of property by direction of the Court for each day or part of a day ..... 2.00

For searching the archives for not more than six months ..... 1.00

For searching the archives for not more than six months ..... 1.00

For searching the archives for each period of six months or part thereof ..... 1.00

For officer of Court accompanying Judge or Referee to view land (besides travelling expenses) from each party for each day or part of a day ..... 2.00

For drawing bill of costs, when directed by the Court ..... 1.00

and for each page -

(a) of A4 ISO size, foolscap or smaller ..... 1.50

(b) of larger size ..... 2.00

For making a copy of any document or proceedings by the directions of the Court, including the making up of a record of appeal: for each page -

(a) of A4 ISO size, foolscap or smaller ..... 1.50

(b) of larger size ..... 2.00".

Made this eighth day of December 1975.

D.R. Davis  
Acting Chief Justice

G.P. Nazareth  
Attorney-General

Approved this eighth day of December 1975.

D.C.C. Luddington  
High Commissioner