

Orders of the Royal Court

II
1991



IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 26th day of March, 1991 before Graham Martyn Dorey, Esquire, Deputy Bailiff; present:—Harry Wilson Bisson, Herbert Nicolle Machon, James de Sausmarez Carey, Geoffrey Ernest Le Page, Stanley Walter John Jehan, Raymond Arthur Heaume, Esquires, Mrs. Dorothy Winifred Le Pelley, John Edward Morris, Charles Anthony Spensley, Kenneth John Rowe and Lawrence Oscar Ozanne, Esquires, Jurats.

No. 2 Order, 1991

ENTITLED

The Magistrate's Court (Fees) (Amendment) Rules, 1991

THE ROYAL COURT, in exercise of the powers conferred upon it by section 25 of the Magistrate's Court (Guernsey) Law, 1954(a), as amended, and of all other powers enabling it in that behalf, hereby orders:—

Amendment to Rules of 1981

1. In the Magistrate's Court (Fees) Rules, 1981, as amended (b)—

(a) Ordres en Conseil Vol. XVI, p. 103.

(b) ORC No. II of 1981; No. II of 1984; and No. I of 1987.

- (a) in Rule 2(1), for “twenty pounds” substitute “£40”;
- (b) for the Schedule, substitute the Schedule set out in the Schedule to these Rules.

Amendment to Rules of 1983

2. In Rule 1(4) of the Magistrate’s Court (Defence Witnesses) Rules, 1983(c), for “three pounds” substitute “£15”.

Repeal

3. The Magistrate’s Court (Fees) (Amendment) Rules, 1984 and Rule 1(a) of the Magistrate’s Court (Fees) (Amendment) Rules, 1987 are repealed.

Citation

4. These Rules may be cited as the Magistrate’s Court (Fees) (Amendment) Rules, 1991.

Transitional

5. Where a fee or allowance amended by these Rules is payable, and the proceeding, matter or thing in respect of which it is payable was done or begun before the date of the commencement of these Rules, the fee or allowance payable in respect thereof shall be the fee or allowance payable immediately before that date.

Commencement

6. These Rules shall come into operation on 1st April, 1991.

SCHEDULE

Rule 1(b)

SCHEDULE

Rule 1

FEES IN RESPECT OF CIVIL PROCEEDINGS

Description of proceeding or matter	Fee	To whom payable
1. Preparation and service of summons or notice—		
(a) for recovery of a sum of money—		
(i) not exceeding £200;	£10	
(ii) exceeding £200 but not exceeding £500;	£15	Sergeant
(iii) exceeding £500;	£20	
(b) for arrest of wages;	£10	
(c) in any other case.	£10	
2. Hearing of cause (per hour or part thereof)—		
(a) for recovery of a sum of money—		
(i) not exceeding £200;	£5	Court
	£5	Greffier
(ii) exceeding £200 but not exceeding £500;	£8	Court
	£8	Greffier
(iii) exceeding £500;	£12	Court
	£12	Greffier
(b) for arrest of wages;	£5	Court
	£5	Greffier
(c) in any other case.	£5	Court
	£5	Greffier
Execution of arrest of personalty—		
(a) where judgment is for recovery of a sum of money—		
(i) not exceeding £200;	£20	
(ii) exceeding £200 but not exceeding £500;	£25	Sheriff
(iii) exceeding £500;	£30	
(b) in any other case.	£20	
4. Execution of arrest of wages of judgment debtor.		
	£10 plus 5% of amounts recovered.	Sheriff

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|--|---|---------|
| 5. Sale of effects of judgment debtor. | (a) 5% of proceeds of sale plus auctioneer's charges and expenses.
(b) 10% of proceeds of sale where no auctioneer acting. | Sheriff |
| 6. Publication of notice of sale of effects of judgment debtor. | Reasonable expenses of publication. | Sheriff |
| 7. Report issued in pursuance of request for execution of arrest of personalty where no such arrest is executed. | £20 | Sheriff |

K. H. TOUGH,
Her Majesty's Greffier.

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