

Island of



Guernsey

## Ordinance of the States

IX  
1994

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Made	...	...	...	...	...	...	...	25th May, 1994.
Came into Operation	...	...	...	...	...	...	...	25th May, 1994.

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### The Matrimonial Causes (Costs and Fees) (Amendment) Ordinance, 1994

**THE STATES**, in pursuance of their Resolution of the 23rd day of February, 1994(a) and in exercise of the powers conferred by Article 69 of the Matrimonial Causes Law (Guernsey) 1939(b) and now vested in them, hereby order:-

#### Amendment of 1981 Ordinance.

1. In the Matrimonial Causes (Costs and Fees) Ordinance, 1981(c)-

- (a) in section 2(3) for "twenty pounds" and "thirty pounds" substitute "£40" and "£60" respectively;
- (b) in section 3(1) the words "calculated at a rate not exceeding fifty pounds for each day" are repealed;

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- (a) Article IV of Billet d'État No. IV of 1994.
  - (b) Ordres en Conseil Vol. XI, p. 318 and Vol. XXII, p. 102; there are other amendments to this Law not relevant to this enactment.
  - (c) Recueil d'Ordonnances Tome XXII, p. 116.

- (c) in section 3(2) after "earnings" insert "and, if he is not resident in the Island of Guernsey, board and lodging";
- (d) in section 6 for "Her Majesty's Procureur whose decision shall be final" substitute "the Taxation Panel established under Rule 6 of the Royal Court (Costs and Fees) Rules, 1990(d); and the taxation shall proceed in all respects in accordance with the provisions of Rule 7 of those Rules";
- (e) for the Schedule, substitute the Schedule set out in the Schedule to this Ordinance.

**Transitional provisions.**

2. The provisions of the Matrimonial Causes (Costs and Fees) Ordinance, 1981 shall continue to apply in relation to any proceeding or matter described in the first column of the Schedule thereto which began or occurred before the commencement of this Ordinance in all respects as if this Ordinance had not been enacted.

**Citation.**

3. This Ordinance may be cited as the Matrimonial Causes (Costs and Fees) (Amendment) Ordinance, 1994.

**Commencement.**

4. This Ordinance shall come into force on the 25th May, 1994.

SCHEDULE		Section Two
Description of proceeding or matter	Fees payable to the Court, Greffier and Sergeant	Fees for Advocates
<b>Answer:</b>		
settling ... ..		£50
if containing cross petition, settling...		£100
<b>Appearance:</b>		
Notice of, to every opposite party: each notice ... ..		£10
memorandum of, settling ... ..		£10
<b>Applications:</b>		
settling ... ..		£15
hearing of ... ..	Court £60 per half day or part thereof (provided that where the hearing lasts for less than one hour the fee shall be £30)	£60 per hour
<b>Commission:</b>		
issuing of ...	Greffier £20	
<b>Copy of decree or order:</b>		
issuing of ...	Greffier £5	
<b>Declarations, sworn:</b>		
settling ... ..		£15
examination by the Court of person who should have made ...	Court £30	£20
<b>Document (other than petition and supporting documents filed therewith):</b>		
filing ... ..	Greffier £10	
<b>Final Order:</b>		
application for ...	Court £20	£20

**Guardian of minor or person  
of unsound mind:**

appointment of ... Court £20 £20

**Interim Injunctions:**

application for... The fees specified in paragraph 24(b) of the Schedule to the Royal Court (Costs and Fees) Rules, 1990 As in column 2

**Interrogatories:**

settling ... .. £20

answer to, settling... £20

**Judicial Separation,  
rescission of:**

declaration of,  
settling ... .. £10

declaration of,  
witnessing ... .. Greffier £10

**Medical inspection of parties:**

attendance for  
identification ... .. £15

minute of identification  
of parties, signing ... .. £10

inspector's report:  
filing of ... ..

Greffier £10

issuing copy of ...

Greffier £1.00 per A4  
side or part thereof

**Notices:**

publication in "La  
Gazette Officielle"...

Greffier £10 and  
cost of publication

for which no fee is  
specified elsewhere,  
including notices to  
produce documents,  
settling ... ..

£15

**Petition:**

settling ... ..		£80
filing (including documents in support filed therewith)... ..	Greffier £20	
supplemental, settling ... ..		£20
supplemental, filing (including documents in support filed therewith)	Greffier £5	

**Pleadings, other than petition and answer:**

settling ... ..		£20
particulars of, application for ...		£20
particulars of, settling ... ..		£20
amendments to, settling ... ..		£20

**Preparation of case:**

instructions, including attendances with client, correspondence and perusal of documents ...		£100
attendance with witnesses, taking statements ... ..		£50 per hour
consultation with client prior to hearing of Cause or Issue ... ..		£100
conference between two or more Advocates prior to hearing of Cause or Issue, when two or more Advocates are engaged by same party or by different parties having same interest - each Advocate... ..		£50

**Search at Greffe: ... ..**

Greffier £5	£50 per hour plus any search fee
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**Service:**

of notice of petition ...	Sergeant £20 for expedited or special service at request of Advocate, or where acknowledgement of service required; £12 otherwise	
of any other document ... ..	Sergeant £20 for expedited or special service at request of Advocate, or where acknowledgement of service required; £12 otherwise	
certificate of service ... ..	Sergeant £5	
substituted: advertisement, settling ...		£10 and cost of publication
abroad, request for: form of, settling ...		£20
sealing document to be served...	Greffier £10	
translation of document to be served... ..		Cost of translation
transmission to His Excellency the Lieutenant Governor ...	Sergeant £5	
certificate of...	Sergeant £5	
<b>Trial of Cause or Issue:</b>		
procuring listing of ...		£10
listing of ... ..	Greffier £10	
hearing, defended...	Court £60 per half day or part thereof	£60 per hour
hearing, undefended...	Court £30 (provided that if the hearing lasts for more than one hour the fee shall be the same as that payable for a defended hearing)	£60 per hour

**Witness summons:**  
settling ...

£10.

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