

Orders of the Royal Court

**IV
2012**

The 3rd day of December, 2012 before Richard John Collas, Esquire, Bailiff; present:- Stephen Edward Francis Le Poidevin, Esquire, Susan Mowbray, John Ferguson, Esquire, Claire Helen Le Pelley, Peter Sean Trueman Girard, Terry George Snell, David Percy Langley Hodgetts LVO, Terry John Ferbrache, David Allan Grut, Esquires, Jurats.

No. IV Order, 2012

ENTITLED

THE MATRIMONIAL CAUSES (COSTS AND FEES) RULES, 2012

ORDER OF THE ROYAL COURT

ENTITLED

The Matrimonial Causes (Costs and Fees) Rules, 2012

THE ROYAL COURT, in exercise of the powers conferred on it by sections 1 and 5 of the Fees, Charges and Penalties (Guernsey) Law, 2007^a and all other powers enabling it in that behalf, hereby rules:-

Amendment of fees

1. The Matrimonial Causes (Costs and Fees) Ordinance 2002^b ("the 2002 Ordinance") is amended in accordance with the following orders.

Fees payable to Advocates

2. In section 3(2) of the 2002 Ordinance for "£160" substitute "£234".

Fees payable to the Court etc.

3. For the Schedule to the 2002 Ordinance^b substitute the Schedule annexed to these Rules.

Citation

4. These Rules may be cited as the Matrimonial Causes (Costs and Fees) Rules, 2012.

^a Order in Council No. VII 2008

^b Ordinance No. III of 2002 and Inserted by Ordinance No. III of 2002

Commencement

5. These Rules shall come into force on 1st January, 2013.

J TORODE
Her Majesty's Greffier

SCHEDULE

1. DESCRIPTION OF PROCEEDING OR MATTER	2. FEES PAYABLE TO COURT, GREFFIER & SERGEANT
1. All Applications	Court: £100.
2. Hearing of trials of causes, applications or issues, other than interim injunctions, whether defended or undefended	Court: £90 per hour or part thereof.
3. Issuing of commission	Greffier: £35.
4. Issuing of a copy of decree or order	Greffier: £20.
5. Examination by the Court of person who should have made sworn declarations	Court: £50.
6. Filing of document, including any item of correspondence, but not including petition and supporting documents filed therewith	Greffier: £15.
7. Application for final order (including one copy)	Court: £50.
8. Hearing of interim injunctions	Court: £200 per hour or part thereof.
9. Issuing of Vesting Orders	Court: £100.
10. Witnessing a declaration of a rescission of Judicial separation	Greffier: £20.
11. Filing for inspector's report of medical inspection of parties	Greffier: £20.
12. Issuing a copy of inspector's report of medical inspection of parties	Greffier: £5 per A4 side or part thereof.
13. Notices: publication in La Gazette Officielle.	Greffier: £90 and cost of publication.
14. Filing of petition, including supporting	Greffier: £100.

documents filed therewith	
15. Filing of petition, supplemental, including supporting documents filed therewith	Greffier: £40.
16. Service of any document including a notice of petition.	Sergeant: £150 for expedited or special service at request of Advocate or in cases where acknowledgement of service required; £50 otherwise.
17. Service: certificate of service.	Sergeant: £25.
18. Service: sealing document to be served.	Greffier: £15.
19. Service: transmission of document to be served to His Excellency the Lieutenant-Governor.	Sergeant: £15.
20. Service: certificate of transmission of document to be served to His Excellency the Lieutenant-Governor.	Sergeant: £25.
21. Preparatory reading by a judge and writing of judgment in respect of any proceedings, unless the judge otherwise directs and provided that no fee shall be payable for the first hour of such reading time or the first hour of such writing time.	Court: £150 per hour or part thereof (in excess of the first hour)
22. Reserving or setting down a date for a trial of cause or issue	<p>1. Court: £100 and</p> <p>2. £150 per day or part thereof set down.</p> <p>Provided that:-</p> <p>(a) if and only if the date is vacated on the 14th day before the appointed day (or earlier), the fee at 2 above shall be refunded;</p> <p>(b) the fee at 2 above shall be credited against any fee chargeable under paragraph 1.</p>
23. (a) Listening to original magnetically taped recording of proceedings (reel to reel) or part thereof.	Greffier: £45 per hour or part thereof during which access to the recording is granted.

<p>(b) Listening to digital recording of proceedings.</p> <p>(c) Provision of CD recordings of hearings.</p>	<p>Greffier: £25 per hour or part thereof.</p> <p>Greffier: £60</p>
<p>24. Video Conferencing</p> <p>(a) Video Conference booking fee</p> <p>(b) Set-up and test video link</p>	<p>Court: £50</p> <p>Court: £100 Set-up and test video link, for the first 15 minutes (or part thereof), use of equipment and attendance of court officer</p> <p>£25 subsequent 15 minutes (or part thereof) including use of equipment and attendance of court officer.</p> <p>Additional technical assistance will be charged at £60 per hour (or part thereof).</p> <p>Transmission costs will be charged at cost.</p>
<p>25. Taxation proceedings -</p> <p>(a) Filing of request for taxation</p> <p>(b) Determination of request to appoint judge/commissioner</p> <p>(c) Filing of Points of Dispute by paying party</p> <p>(d) Filing of Response by receiving party</p> <p>(e) Fixing of date for taxation hearing</p> <p>(f) Preparatory reading by a judge and writing of judgment in respect of any proceedings, unless the judge otherwise directs and provided that no fee</p>	<p>Greffier: £60</p> <p>Court: £120</p> <p>Greffier: £120</p> <p>Greffier: £120</p> <p>Court: £120</p> <p>Court: £150 per hour or part thereof (in excess of the first hour)</p>

<p>shall be payable for the first hour of such reading time or the first hour of such writing time.</p> <p>(g) Taxation hearing</p>	<p>Court: £360 per hour or part thereof</p>
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