



In the Royal Court of the Island of Guernsey

The

Orders of the Royal Court

IV

2023

IN THE ROYAL COURT OF GUERNSEY

The 11th day of December, 2023 before Sir Richard McMahon, Bailiff; present:- Stephen Murray Jones, OBE, Esquire, Claire Helen Le Pelley, Jonathan Grenfell Hooley, Steven John Morris, David John Robilliard, Stuart Michael Crisp, Esquires, Marilyn Jasmine King, Tina Jane Le Poidevin, Paul Martin Burnard, Esquire, Felicity Jane Quevâtre, Simon Ernest Bodkin, James Robert Toynton, Esquires, Jillian Clark, Richard Jeremy Wallen James, Esquire, Jurats.

No. IV Order, 2023

ENTITLED

THE MAGISTRATE'S COURT (FEES) (AMENDMENT) RULES, 2023

The Magistrate's Court (Fees) (Amendment) Rules, 2023

THE ROYAL COURT, in exercise of the powers conferred upon it by section 33 of the Magistrate's Court (Guernsey) Law, 2008^a, and all other powers enabling it in that behalf, hereby orders:-

PART I

Amendment of the principal Rules.

1. (1) The Magistrate's Court (Fees) Rules, 1981^b ("**the principal Rules**") are amended as follows.

(2) In Rule 2(1), for "£110" substitute "£133".

(3) For the Schedule to the principal Rules, substitute the Schedule set out in the Schedule to these Rules.

Transitional provisions.

2. (1) These Rules have effect in relation to fees payable in respect of a proceeding or matter –

(a) which is described in column 1 of the Schedule set out in the Schedule to these Rules, and

^a Order in Council No. XVIII of 2009; this enactment has been amended.

^b Order of the Royal Court No. II of 1981; this enactment has been amended.

(b) which occurs or begins on or after the date of commencement specified in Rule 4,

whether the action of which the proceeding or matter forms part began before, on or after that date.

(2) These Rules have effect in relation to allowances payable to witnesses in respect of any attendance which occurs or begins on or after the date of commencement specified in Rule 4, whether the action in which the attendance was required began before, on or after that date.

Citation.

3. These Rules may be cited as the Magistrate's Court (Fees) (Amendment) Rules, 2023.

Commencement.

4. These Rules shall come into force on 1st January, 2024.

SCHEDULE

Rule 1(3)

"SCHEDULE

Rule 1

FEEES IN RESPECT OF CIVIL PROCEEDINGS

1. DESCRIPTION OF PROCEEDING OR MATTER	2. FEE, AND TO WHOM PAYABLE
1. Preparation and service of summons or notice - (a) for recovery of a sum of money, (b) for arrest of wages,	Sergeant: £213 for expedited service at request of the applicant; £139 for specified service at request of the applicant, £73 otherwise. Sergeant: £213 for expedited service at request of the applicant, £139 for specified service at the request of the applicant; £73 otherwise.

(c) in any other case.

Sergeant: £213 for expedited service at the request of the applicant, £139 for specified service at the request of the applicant, £73 otherwise.

In this item, "specified service" means service which is to be given—

(a) at an address or place known to HM Sergeant which is other than at the address given by the applicant for service, or

(b) á personne at an address or place known to HM Sergeant which is other than the address given by the applicant for service, and

"expedited service" means same day service.

2. Failure of the parties to notify the Court of the settlement of a matter.

Court: Fees which would have been payable

		had the matter proceeded.
3.	(1) Hearing of cause or application (per hour or part thereof) -	
	(a) for recovery of a sum of money	Court: £154,
	(b) for arrest of wages,	Court: £73,
	(c) in any other case.	Court: £73.
	(2) For second and each subsequent adjournment of a cause or application.	Court: £40,
4.	Execution of arrest of personalty -	
	(a) where judgment is for recovery of a sum of money -	
	(i) not exceeding £1,000,	Sheriff: £87,
	(ii) exceeding £1,000 but not exceeding £2,500,	Sheriff: £113,

<p>(iii) exceeding £2,500, but not exceeding £5,000,</p>	<p>Sheriff: £127,</p>
<p>(iv) exceeding £5,000,</p>	<p>Sheriff: £139,</p>
<p>(b) in any other case.</p>	<p>Sheriff: £113.</p> <p>Provided that where the time taken in enforcing the execution of an arrest of personalty described in subparagraphs (a) and (b) exceeds two hours, then an additional fee shall be payable of £73 per hour for each subsequent hour or part thereof.</p>
<p>5. Execution of arrest of wages in respect of -</p> <p>(a) judgment debtor,</p> <p>(b) maintenance orders,</p> <p>(c) compensation orders.</p>	<p>Sheriff: £40,</p> <p>Sheriff: £40,</p> <p>Sheriff: £40,</p>
<p>6. Sale of effects of judgment debtor.</p>	<p>(a) Sheriff: 5% of proceeds of sale plus auctioneer's</p>

		charges and expenses.
	(b) Sheriff:	10% of proceeds of sale where no auctioneer acting.
7. Publication of notice of sale of effects of judgment debtor.	Sheriff:	reasonable expenses of publication.
8. Report issued in pursuance of request for execution of arrest of personalty where no such arrest is executed -		
(a) where judgment is for recovery of a sum of money -		
(i) not exceeding £1,000	Sheriff:	£59,
(ii) exceeding £1,000 but not exceeding £2,500	Sheriff:	£87,
(iii) exceeding £2,500 but not exceeding £5,000	Sheriff:	£99,

(iv) exceeding £5,000,	Sheriff:	£113,
(b) report issued in pursuance of request for execution of arrest of personalty for recovery of unpaid compensation	Sheriff:	£80,
(c) in any other case.	Sheriff:	£87,

Provided that where the time taken in issuing the Report described in sub-paragraphs (a), (b) and (c) exceeds two hours, then an additional fee shall be payable of £73 per hour for each subsequent hour or part thereof.

	(i) certified copies (excluding the original certified copy provided to the Plaintiff/Applicant following proceedings specified elsewhere in this Schedule),	Greffier: £30,
	(ii) uncertified copies -	(A) for an A4 copy in monochrome, £4, (B) for an A3 copy in monochrome, £5 (C) for an A4 copy in colour, £6, (D) for an A3 copy in colour, £7.
10.	(a) Provision of official transcript,	Greffier: £12 per A4 side or part thereof for the first copy and £1.80 per A4 side or part

			thereof for any additional copy.
	(b) Provision of official transcript, expedited service (within 48 hours),	Greffier:	£15 per A4 side or part thereof for the first copy and £1.80 per A4 side or part thereof for any additional copy.
	(c) Provision of official transcript, previously produced.	Greffier:	£1.80 per A4 side or part thereof for any additional copy.
11.	Certificate of service by Sergeant of summons or note.	Sergeant:	£40.
12.	Listening to digital recording of proceedings.	Greffier:	£40 per hour or part thereof.
13.	Photocopying of documents (other than where covered by a specified fee above).	Greffier:	£1.20 per A4 side.
14.	Certificate of Conviction.	Greffier:	£80.
15.	Video Conferencing -		

(a) Video Conference booking fee,	Court:	£73
(b) Set-up and test video link,	Court:	£213 Set-up and test video link, for the first 15 minutes (or part of), use of equipment and attendance of court officer.
		£40 subsequent 15 minutes (or part of) including use of equipment and attendance of court officer.
		Additional technical assistance will be charged at £87 per hour (or part thereof).

16.	Teams link (or equivalent) for hearings.	Transmission costs will be charged at cost. £73.".
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