

The Court of Appeal (Civil Division)
(Costs and Fees) (Guernsey) (Amendment) Rules, 2023
No. 136

THE BAILIFF OF GUERNSEY, in exercise of the powers conferred upon him by sections 18(2) and 44 of the Court of Appeal (Guernsey) Law, 1961^a, and all other powers enabling him in that behalf, hereby orders:-

Amendment of Principal Rules.

1. The Court of Appeal (Civil Division) (Costs and Fees) (Guernsey) Rules, 2012^b ("the Principal Rules") are amended as follows.

2. In Rule 3 of the Principal Rules —

(a) in paragraph (2), for "£268" substitute "£325", and

(b) in paragraph (3), for "2020" substitute "2025".

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

Transitional provisions.

4. These Rules shall have effect in relation to Court fees, Advocates' fees and other recoverable costs incurred (whether before, on or after the date of commencement specified in Rule 6) —

^a Ordres en Conseil Vol. XVIII, p. 315; this enactment has been amended.

^b G.S.I. No. 66 of 2012; this enactment has been amended.

- (a) in respect of any appeal commenced, but not finally determined or disposed of, before that date, and
- (b) in respect of any appeal commenced on or after that date,

and for the purposes of this Rule an appeal shall be considered to have commenced when a notice of appeal or application preliminary to an appeal is delivered to the Registrar.

Citation.

5. These Rules may be cited as the Court of Appeal (Civil Division) (Costs and Fees) (Guernsey) (Amendment) Rules, 2023.

Commencement.

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

Dated this 13th day of December, 2023



R.J. McMahon
Bailiff of Guernsey

SCHEDULE

Rule 3

"SCHEDULE

Rule 2

| 1. | 2. |
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| DESCRIPTION OF PROCEEDING OR MATTER | FEES PAYABLE TO COURT, REGISTRAR OR SERGEANT |
| 1. Setting down appeal or filing of application for leave to appeal, including an application for leave to appeal to the Judicial Committee of the Privy Council and all other applications (including but not limited to applications amending notice of appeal or for extensions of time). | Registrar: £378. |
| 2. Lodging of consolidated bundle. | Registrar: £299. |
| 3. Preparatory reading by a judge and writing of judgment in respect of any proceedings. No fee shall be payable for the first hour of such reading time or the first hour of such writing time. | Court: £213 per hour or part thereof (in excess of the first hour). |
| 4. Preparatory arrangements relating to the attendance of judges for the hearing of the appeal or hearing of any application. | Court: In the event that the hearing or application does not take place for whatever reason, the Court retains discretion to charge for actual non recoverable travel and accommodation costs incurred and all incidental and ancillary costs relating thereto. |
| 5. Hearing of applications to Court (where three judges are sitting), including determination of an application on the papers. | Court: £1108 per hour or part thereof, provided however that a reduced fee of £554 shall be payable if a hearing takes less than 30 minutes in total. |
| 6. Hearing of applications to single judge or to presiding judge of court below, including determination of an application on the papers. | Court: £378 per hour or part thereof. |
| 7. Hearing of appeal. | Court: £1108 per hour or part thereof. |

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| 8. Personal service of notices or other documents. | <p>Sergeant: £213 for expedited or specified service at request of the applicant or in cases where acknowledgement of service required; £73 otherwise.</p> <p>In this item—</p> <p>"specified service" means service which is to be given—</p> <p>at an address or place known to HM Sergeant which is other than the address given by the applicant for service, or</p> <p>(b) à personne at an address or place other than the address given by the applicant for service, and</p> <p>"expedited service" means same day service.</p> |
| 9. Certificate of service. | Sergeant: £33. |
| 10. Preparation of official transcript. | Registrar: £12 per A4 side or part thereof. |
| 11. Copy of whole or any part of official transcript. | Registrar: £1.80 per A4 side or part thereof. |
| 12. Photocopying of documents | Registrar: £0.60 per A4 side. |
| 13. (a) Listening to digital recording of proceedings (b) Provision of digital recordings of hearings | <p>Registrar: £40 per hour or part thereof</p> <p>Registrar £87.</p> |
| 14. Taxation proceedings: | |
| (a) Filing of request for taxation or of request for further time for submission of request for taxation. (b) Filing of Points of Dispute by paying party. (c) Filing of Response by receiving party. (d) Fixing of date for taxation hearing. | <p>Registrar: £87.</p> <p>Registrar: £206.</p> <p>Registrar: £206.</p> <p>Court: £206.</p> |

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| | (e) Preparatory reading by a judge and writing of judgment in respect of any proceedings, provided that no fee shall be payable for the first hour of such reading time or the first hour of such writing time. | Court: £213 per hour or part thereof (in excess of the first hour). |
| | (f) Taxation hearing. | Court: £497 per hour or part thereof. |
| | (g) Other applications. | Greffier: £160. |
| 15. | Video conferencing | |
| | (a) Video conference booking fee. | Court: £73. |
| | (b) Set-up and test video link. | <p>Court: £213 Set-up and test video link, for the first 15 minutes (or part of), use of equipment and attendance of court officer.</p> <p>£40 subsequent 15 minutes (or part of) including use of equipment and attendance of court officer.</p> <p>Additional technical assistance will be charged at £87 per hour (or part thereof).</p> <p>Transmission costs will be charged at cost.</p> |

