



# In the Royal Court of the Island of Guernsey

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The

Orders of the Royal Court

I

2024

IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 5th day of February, 2024 before Sir Richard McMahon, Bailiff; present:- Stephen Murray Jones, OBE, Steven John Morris, David James Mortimer, David John Robilliard, Esquires, Marilyn Jasmine King, Heather Reed, Jillian Clark, Jurats.

**No. I Order, 2024**

ENTITLED

**THE MATRIMONIAL CAUSES (COSTS AND FEES) RULES, 2024**

# The Matrimonial Causes (Costs and Fees) Order, 2024

THE ROYAL COURT, in exercise of the powers conferred upon it by sections 1 and 5 of the Fees, Charges and Penalties (Guernsey) Law, 2007<sup>a</sup>, and all other powers enabling it in that behalf, hereby orders:-

## Amendment of the 2002 Ordinance.

1. (1) The Matrimonial Causes (Costs and Fees) Ordinance, 2002<sup>b</sup> ("the 2002 Ordinance") is amended as follows.

(2) In section 3 -

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

(b) for subsection (3), substitute -

"(3) The hourly rate specified in subsection (2) shall, on the 1<sup>st</sup> January 2025, and on the 1<sup>st</sup> January in each succeeding year, be subject to a percentage increase (rounded to the nearest pound) equivalent to the annual percentage increase, if any, in the Guernsey Index of Retail Prices most recently published in a Billet d'État immediately prior to that date."

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<sup>a</sup> Order in Council No. VII of 2008; this enactment has been amended.

<sup>b</sup> Ordinance No. III of 2002; this enactment has been amended.

(3) For the Schedule to the 2002 Ordinance, substitute the Schedule to this Order.

**Repeal.**

2. The Matrimonial Causes (Costs and Fees) Order, 2018<sup>c</sup> is repealed.

**Transitional provision.**

3. This Order shall have effect in relation to costs and fees incurred on or after the date of commencement, whether the proceeding or matter in relation to which the costs or fees were incurred began or occurred before, on or after that date.

**Citation and commencement.**

4. This Order may be cited as the Matrimonial Causes (Costs and Fees) Order, 2024 and shall come into force on 14<sup>th</sup> February 2024.

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<sup>c</sup> O.R.C. No. VII of 2018.

SCHEDULE

Article 1(3)

"SCHEDULE

Section 2

1. DESCRIPTION OF PROCEEDING OR MATTER	2. FEES PAYABLE TO COURT, GREFFIER & SERGEANT
1. All applications.	Court: £139.
2. Hearing of trials of causes, applications or issues, other than interim injunctions, whether defended or undefended.	Court: £127 per hour or part thereof.
3. Issuing of Commission.	Greffier: £53.
4. Issuing of a copy of decree or order.	Greffier: £30.
5. Examination by the Court of person who should have made sworn declarations.	Court: £73.
6. Filing of document, including any item of correspondence, but not including petition and supporting documents filed therewith.	Greffier: £19.
7. Application for final order (including one copy).	Court: £73.
8. Hearing of interim injunctions.	Court: £280 per hour or part thereof.

9. Issuing of Vesting Orders.	Court: £139.
10. Witnessing a declaration of a rescission of Judicial separation.	Greffier: £33.
11. Filing for inspector's report of medical inspection of parties.	Greffier: £33.
12. Issuing a copy of inspector's report of medical inspection of parties.	Greffier: £6 per A4 side or part thereof.
13. Notices: publication in La Gazette Officielle.	Greffier: £127 and cost of publication.
14. Filing of petition, including supporting documents filed therewith.	Greffier: £139.
15. Filing of petition, supplemental, including supporting documents filed therewith.	Greffier: £59.
16. Service of any document including a notice of petition.	<p>Sergeant: £213 for expedited or specified service at request of applicant; £73 otherwise.</p> <p>In this item, "<b>specified service</b>" means service which is to be given -</p> <p>(a) at an address or place known to HM Sergeant which is other than the address given by the applicant for service,</p> <p>(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</p>

	<b>"expedited service"</b> means same day service.
17. Service: certificate of service.	Sergeant £40. :
18. Service: sealing document to be served.	Greffier: £19.
19. Service: transmission of document to be served to His Excellency the Lieutenant-Governor.	Sergeant £19. :
20. Service: certificate of transmission of document to be served to His Excellency the Lieutenant-Governor.	Sergeant £40. :
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: £213 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.	1. Court: £139, and  2. £213 per day or part thereof set down.  Provided that: - (a) if and only if the date is vacated on the 14 <sup>th</sup> day before the appointed day (or earlier), the fee at 2 above shall be refunded;  (b) the fee at 2 above shall be credited against any fee chargeable under paragraph 1.

23. Listening to digital recording of proceedings.	Greffier: £40 per hour or part thereof.
<p>24. Video Conferencing –</p> <p>(a) Video Conference booking fee.</p> <p>(b) Set-up and test video link.</p>	<p>Court: £73.</p> <p>Court: £213 Set-up and test video link, for the first 15 minutes (or part thereof), use of equipment and attendance of court officer.</p> <p>£40 subsequent 15 minutes (or part thereof) 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>
<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>Greffier: £87.</p> <p>Court: £166.</p> <p>Greffier: £166.</p>

(d) Filing of Response by receiving party.	Greffier: £166.
(e) Fixing of date for taxation hearing.	Court: £166.
(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 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).
(g) Taxation hearing.	Court: £497 per hour or part thereof.
(h) Other Applications.	Court: £166."