ANGUILLA

REVISED REGULATIONS OF ANGUILLA

under

COURT OF JUSTICE FEES ACT
R.S.A. c. C136

Showing the Law as at 31 December 2022

This Edition was prepared under the authority of the Revised Statutes and Regulations Act, R.S.A. c. R55 by the Attorney General as Law Revision Commissioner.

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Revised Regulations of Anguilla: C136-1

COURTS OF JUSTICE FEES ACT (R.S.A. c. C136)

HIGH COURT FEES (BANKRUPTCY AND MATRIMONIAL PROCEEDINGS) REGULATIONS

Note: These Regulations are enabled under section 1 of the Courts of Justice Fees Act, R.S.A. c. C136.

Fees in civil proceedings

1. The fees or percentages required to be paid in the High Court, in any office connected with the High Court or for services by any officer attached to the High Court who is paid out of public money are as follows—

(a) for each item set out in Column 1 of Schedule 1 in respect of proceedings under the Bankruptcy Act, the amount set out opposite in Column 2;

(b) for each item set out in Column 1 of Schedule 2 in respect of matrimonial proceedings, the amount set out opposite in Column 2.

Fees to be paid in stamps

2. The fees payable in all proceedings in the High Court in all its branches shall be taken in stamps authorised under the Stamp Act.

Stamps may express gross fees

3. Any number of separate fees may be expressed on a document by 1 or more stamps for the gross amount.

Use of stamps

4. The stamp or stamps shall be affixed to the document in respect of which the fee is payable; but where any fee is payable in respect of any matter or thing in reference to which it is not customary or may not be necessary to use any document or paper, the party or his solicitor requiring the matter or thing to be done shall make application for it by a præcipe or short note in writing or print to or upon which the stamp or stamps shall be affixed, and all papers and documents when possible shall be stamped on the left hand upper corner of the front sheet.

Documents to be stamped before signature

5. All documents must be fully stamped to the amount of the prescribed fees before being brought to the officer of the High Court responsible for the transaction involved, and the officer before signing the document shall satisfy himself that it has been correctly stamped.

Cancellation of stamps

6. Before any stamped document passes out of the possession of the officer of the High Court responsible for the transaction involved, the stamps on the document shall be effectively cancelled by the officer by means of a metallic date stamp and indelible ink; and in the case of stamps of a value higher than 24¢, each stamp must be perforated with a punching machine in such a way as to destroy completely any philatelic value the stamp might otherwise possess.

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Accounts

7. As soon as possible after the end of each quarter, the Registrar shall transmit to the Accountant General a statement signed by him certifying the amount paid by means of stamps in respect of all proceedings during the preceding quarter, and the statement shall be duly entered in the appropriate account.

(Act 7/2010, s. 26)

Citation

8. These Regulations may be cited as the High Court Fees (Bankruptcy and Matrimonial Proceedings) Regulations, Revised Regulations of Anguilla, C136-1.

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SCHEDULE 1

(Section 1(a))

FEES IN BANKRUPTCY PROCEEDINGS

COLUMN 1	COLUMN 2
SUMMONSES, NOTICES, WRITS AND WARRANTS	
For a summons, including seal	6.00
For a notice in the *Gazette*, including sending it	6.00
For a notice to a creditor, including service, but not including posting	3.00
For any other notice, including service	3.00
For a writ, including seal	9.00
For a warrant, including seal	6.00
COPIES	
For an office copy of any proceedings or document, per folio	.60
For examining a copy of any proceedings or documents to be certified as an office copy, per folio	1.20
DRAFTING	
For drawing a bond	6.00
For drawing any document not specially named if 2 folios or under	3.00
If exceeding 2 folios, for each additional folio or part of a folio	1.20
ATTENDANCES	
For an attendance before the Judge at Chambers	6.00
For an attendance in Court	6.00
For attending the examination of a witness or other person out of Court—each person	6.00
For attending if the examination of any person takes more than one day, for each additional day or part of a day	6.00
For attending the public examination of a bankrupt—per hour	3.00
OATHS, ETC.	
As in the Schedule of Fees in the High Court, under the Supreme Court (Fees in Civil Proceedings) Order.	
FILING	
For filing a petition and entering it	24.00
For filing a writ, or other document, and entering it	3.00

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CERTIFICATES

For a certificate	6.00
For attesting and signing a declaration of inability to pay or other paper to which the attestation of the Registrar may be necessary	3.00

SEARCHES

For a search	3.00

JUDGMENTS, DECREES AND ORDERS

For an order	6.00
For a decree or adjudication	6.00
For a written order of the Registrar upon application made	3.00
For a seal	3.00

MISCELLANEOUS

For taking a recognizance and attending thereon	3.00
For entering exception to bail	3.00
For an additional bail, justification or surrender	3.00
For taking the examination of any person before a Judge, per folio	1.80
For entering a motion	3.00
For recording proceedings when necessary, per folio	.60
For an amendment made in any petition or other proceeding by the Court or Judge's order	3.00
For entering request when a witness being sworn demands expenses	1.20
For an entry in the attachment book	1.20

SCHEDULE OF FEES TO BE TAKEN BY THE BAILIFF

For serving a writ or other process, order, summons or notice	1.80
If more than one person sued, then for every extra service	1.80
For every mile from the Court House	.90
For executing a search warrant	6.00
For executing a warrant against debtor	12.00
For executing a warrant of seizure	6.00
For making a return to any writ or warrant	3.00
For making a levy in a town	9.60
For making a levy in country beyond the above fee, per mile or part of a mile from the Court House	3.00
Each man in possession, per diem	4.80
Summoning special jury	57.60
Poundage on net proceeds (after payment of all incidental expenses on levy and sale) on the	

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amount actually levied at the rate per cent of $120.

Any fee or percentage for any item that is not specifically provided for in this Schedule shall be dealt with according to the Schedule of Fees to be paid in the High Court under the Supreme Court (Fees in Civil Proceedings) Order.

SCHEDULE 2

(Section 1(b))

FEES IN MATRIMONIAL PROCEEDINGS

COLUMN 1	COLUMN 2
CITATIONS, ADVERTISEMENTS, WRITS, COMMISSIONS, ETC.	
On a citation	6.00
For settling citation or an abstract thereof for advertisement, or any other advertisement, if of 5 folios or under	6.00
If exceeding 5 folios, for each additional folio or part of a folio	1.20
On a writ of subpœna not exceeding three persons	6.00
On a writ of attachment	6.00
On a writ of sequestration	6.00
On a writ of *fieri facias*	6.00
On a commission or requisition under seal of the Court	24.00
APPEARANCE	
On entering appearance—for each person	6.00
On amending appearance—for each person added, or other amendment	3.00
COPIES	
Office copies of any document as in the Schedule of Fees to be paid in the High Court under the Supreme Court (Fees in Civil Proceedings) Order.	
For the seal of the Court affixed to any order, minute or decree, or to any office copy	6.00
DECREE, VERDICT OR ORDER	
Entering sentence or final decree in a cause	12.00
Entering verdict, if 5 folios or under	12.00
Entering verdict, if exceeding 5 folios, for each additional folio or part of a folio	1.20
Entering order for the examination of a witness or witnesses	6.00
Entering any decree or order for alimony	12.00
Entering any order directing application of damages	12.00
Entering order providing for custody, maintenance or education of children if 5 folios or under	12.00

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Entering any order of settlement of alimony, or of wife's property or disposal of settlements under Imp. Stat. 20 and 21 Vict. c. 85 secs. 32 and 45, and 22 and 23 Vict. c. 61 sec. 5, if 5 folios or under	12.00
If either of the above orders exceed 5 folios, for each additional folio or part of a folio	1.20
Entering any order of protection for wife's earnings and property	6.00
For the order under the seal of the Court	12.00
For any order issuing under the hand of the Judge or Registrar except orders made on summons	6.00
Entering any order, minute or decree in the Court Book other than those above specified	6.00

REFERENCES

On each reference to ascertain the amount to be paid or secured to a wife to cover her costs for the Registrar's attendance	24.00
For his report thereon	12.00
On each reference for any other enquiry before the Registrar—Attendance of Registrar	12.00
For every hour or part of an hour after the first	6.00
For the Registrar's report, if 5 folios or under	6.00
If exceeding 5 folios, for each additional folio or part of a folio	1.20

SUMMONSES

On each summons	6.00
For an order on summons, including entry of the same	3.00
For an order on summons, if a final order in the cause	12.00

MOTIONS

Entering any minute or order on motion other than orders hereinbefore specified	6.00
Entering any minute or order if a final order in the cause	12.00

OATHS, ETC.

As in the Schedule of Fees in the High Court, under the Supreme Court (Fees in Civil Proceedings) Order.

FILING

Filing any petition	24.00
Filing any answer, reply, rejoinder or any further replication or an act on petition, or any writing to any act on petition by way of answer, reply, rejoinder or conclusion, or any joinder in demurrer, or any interrogatories (each set) or any application for an order of protection of a wife's earnings and property or any case for motion	6.00
Filing depositions (each witness) or copies of issues of fact for the jury, as settled	2.40
Filing an affidavit or other document brought into Court, or deposited in the Registry, for filing which no fee is specified	2.40
Filing any notice	1.20
Filing exhibits, each exhibit	1.20

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CERTIFICATES

For a certificate under the hand of the Judge or Registrar	6.00

SEARCHES AND INSPECTIONS

Search in each Court Book	2.40
On an application to search and inspect a pleading, decree, order or other record not being in the Court books, unless otherwise provided for, expressly by any legislative Act or Act, or this Order, and to inspect documents deposited for safe custody or for production pursuant to an Order, each document	2.40

EXAMINATION OF WITNESSES

As in the Schedule of Fees in the High Court, under the Supreme Court (Fees in Civil Proceedings) Order.

SETTING DOWN AND HEARING

On setting down a cause for hearing or trial	24.00
Withdrawal of a cause after the same is set down for hearing or trial	12.00
On the hearing, to be paid by the party setting down the cause	24.00
On the hearing if the cause occupies more than one day per additional day or part of a day	12.00

TAXING COSTS

As in the Schedule of Fees in the High Court, under the Supreme Court (Fees in Civil Proceedings) Order.

MISCELLANEOUS

On amending pleadings	3.00
On settling issues of fact to be tried by a jury	12.00
On an application to produce Judge's notes	6.00

Any fee or percentage for any item that is not specifically provided for in this Schedule shall be dealt with according to the Schedule of Fees to be paid in the High Court under the Supreme Court (Fees in Civil Proceedings) Order.

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