

The Royal Court (Costs and Fees) (Amendment) Rules, 2023

THE ROYAL COURT, in exercise of the powers conferred upon it by section 1 of the Royal Court (Costs and Fees) (Guernsey) Law, 1969^a, and all other powers enabling it in that behalf, hereby orders:-

Amendment of the principal Rules.

1. (1) The Royal Court (Costs and Fees) Rules, 2012^b ("the principal Rules") are amended as follows.

(2) In Rule 2—

(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 to these Rules.

Transitional provisions.

2. The principal Rules, as amended by these Rules, have effect in relation to fees payable in respect of a proceeding or matter –

^a Ordres en Conseil Vol. XXII, p. 102.

^b O. R. C. No. III of 2012; this enactment has been amended.

- (a) which is described in column 1 of the Schedule to the principal Rules, and
- (b) which occurs or begins on or after the date of commencement of these Rules specified in Rule 4,

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

Citation.

3. These Rules may be cited as the Royal Court (Costs and Fees) (Amendment) Rules, 2023.

Commencement.

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

SCHEDULE

Rule 1(3)

"SCHEDULE

Rule 1

COURT FEES, ETC. IN RESPECT OF CIVIL & CRIMINAL PROCEEDINGS

1. DESCRIPTION OF PROCEEDING OR MATTER	2. FEE
<p>1. (a) Preparation and service of a summons, notice or document in any proceedings other than for recovery of a sum of money.</p> <p>(b) Preparation and service of a summons, notice or document in proceedings for recovery of a sum of money.</p>	<p>Sergeant: £213 for expedited or specified service at request of the applicant; £73 otherwise.</p> <p>Sergeant: £213 for expedited or specified service at request of the applicant; £139 otherwise.</p> <p>In this item, "specified service" 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</p>

		applicant for service, and
		"expedited service" means same day service.
2.	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).
3. (a)	First, and each subsequent, tabling of a cause, application or petition, filing of defences, and interlocutory applications:	
	(i) in proceedings for the recovery of a sum of money –	
	(A) not exceeding £50,000,	Court: £213,
	(B) exceeding £50,000 but not exceeding £500,000,	Court: £280,
	(C) exceeding £500,000 but not exceeding £5,000,000,	Court: £352,
	(D) exceeding £5,000,000,	Court: £417,
	(ii) in proceedings relating to an application for a Liquor Licence or a Salle Publique Licence including ancillary applications relating thereto,	Court: £213,
	(iii) in proceedings relating to the administration of an oath to a public official,	Court: £139,
	(iv) in proceedings relating to any civil or criminal appeal from the Magistrate's Court, the Court of Alderney or the Court of the Seneschal or any appeal from a	Court: £200,

	decision of an administrative body or tribunal, excluding proceedings described in subparagraph (vi) below,		
(v)	in proceedings relating to parochial remèdes,	Court:	£179,
(vi)	in proceedings brought under the Companies (Guernsey) Law, 2008, the Income Tax (Guernsey) Law, 1975, the Limited Partnerships (Guernsey) Law, 1995 and the Trusts (Guernsey) Law, 2007,	Court:	£292,
(vii)	in proceedings under the Insurance Business (Bailiwick of Guernsey) Law, 2002 for the transfer of long term insurance business,	Court:	£352,
(viii)	in proceedings relating to an adoption application,	Court:	£140,
(ix)	in proceedings relating to disclosure orders and freezing orders,	Court:	£352,
(x)	in proceedings relating to interim injunctions,	Court:	£282,
(xi)	in any other proceedings.	Court:	£280.
(b)	Each other proceeding filed as a Consent Order.	Court:	The sum calculated under paragraph (a) above reduced by £47.
(c)	Withdrawal of any cause, application or petition lodged with the Court in proceedings described in this paragraph:		
(i)	up to thirty minutes prior to the scheduled time of the Court sitting (" the withdrawal deadline "),	Greffier:	£53.

	(ii) after the withdrawal deadline with the leave of the Court given séance tenante.	Court:	The relevant tabling fee as set out in subparagraph (a) of this paragraph.
4.	Proceedings before the Court requiring a hearing of one hour or more, including: (a) determination on the papers, of a cause, application or petition, (b) at a Vue de Justice, (c) the examination of a witness whose depositions are to be taken in writing or recorded.	Court per hour or part thereof:	double the appropriate fee specified in column 2 of paragraph 3(a) for the tabling of the cause.
5.	Certificate of service by the Sergeant of a summons or notice.	Sergeant:	£40.
6.	Appointment of, and every subsequent appearance in Court of, the Sergeant as Judicial Attorney.	Sergeant:	£67.
7.	Filing of written notice of élection de domicile or change of élection de domicile.	Greffier:	£53.
8.	Inscription of a cause on the Pleading List or Witness List.	Greffier:	£93.
9.	Tabling a Scheduled Application within the meaning of the Royal Court (Non-contentious Applications) Rules, 1988	Court:	£87.
10.	Hearing before a Commissioner for the taking of evidence (including the execution of a request from a court of another jurisdiction for the taking of evidence on commission) whether at the Court or elsewhere.	Court: per hour or part thereof at double the appropriate fee specified in column 2 of paragraph 3(a). If the hearing cannot be accommodated within the Royal Court House, the Applicant will also be responsible for the cost of alternative accommodation.	
11.	As respects Clameurs de Haro: (i) application for endorsement of a clameur by the Bailiff,	Court:	£282,

	(ii) registration of a clameur.	Greffier:	£67.
12.	Execution of an order of the Court (other than an arrest of wages).	Sheriff:	£73 per hour worked or part thereof plus the cost of making an inventory of any personalty arrested and of making any copies thereof plus £73 per hour worked or part thereof spent in the execution or attempted execution of the order and reporting thereon, including the making of an inventory of any personalty arrested.
13.	Execution of an arrest of wages of a judgment debtor.	Sheriff:	£73.
14.	Attendance by the Sheriff to deliver goods.	Sheriff:	£73.
15.	Attendance by the Sheriff at the Court to declare what he has in hand.	Sheriff:	£73.
16.	Attendance by the Sheriff at the Court for any other purpose.	Sheriff:	£73.
17.	Opposition to the publication of a sale at the instance of the Sheriff.	Sheriff:	£73 per publication opposed.
18.	Opposition to, or postponement of, such a sale.	Sheriff:	£73 per sale opposed or postponed.
19.	(a) Sale by auction or tender before Sheriff or by private treaty by Sheriff.	Sheriff:	£73 per hour.
	(b) Sale by auction where auction is conducted by Sheriff.	Sheriff:	£73 per hour.
	(c) Publication of notice of sale of effects of judgment debtor.	Sheriff:	Reasonable expenses of such publication.

20.	Attendance by the Sheriff at the Court upon being actioned to pay the proceeds of sale.	Sheriff:	£73.
21.	Saisie proceedings -		
(a)	notifying the person against whom a Preliminary Vesting Order has been obtained of the making of the order and certifying that he has been notified,	Sheriff:	£73.
(b)	opposition to, or postponement of a letting,	Sheriff:	£73 per letting opposed or postponed.
		Sergeant:	£33 per letting opposed or postponed.
(c)	a letting,	Sheriff:	£73 per property let plus the auctioneer's charges and expenses,
		Sergeant:	£33 per property let,
(d)	the hearing of proceedings against the debtor to see the creditor produce an account,	Commissioner:	£145,
		Greffier:	£87,
(e)	notifying the debtor of the making of an Interim Vesting Order and certifying that he has been notified,	Sheriff:	£73,
(f)	opening the register of claims,	Greffier:	£73,
(g)	making an entry in the register of claims,	Greffier:	£47,
(h)	copies of the register of claims,	Greffier:	£8 per A4 side or part thereof,
(i)	the hearing of proceedings against claimants for the purpose of marshalling their claims,	Commissioner:	£139,
		Greffier:	£87,
(j)	the hearing of proceedings against claimants to declare whether or not they elect to have the real property of the debtor vested in them for an estate of inheritance,	Court:	£280,

(k)	registration of a Final Vesting Order.	Greffier:	£73.
22.	Registration of petition.	Greffier:	£73.
23.	Execution of a document relating to a transaction for value before the Court.	Court: Jurats:	£113. £87.
24.	Execution of a document (including a Power of Attorney, a Will of Realty and a deed poll) where the value of the transaction to which the value of the transaction to which the document relates is not an essential element of the transaction.	Jurats:	£73.
25.	Making a declaration.	Court:	£33.
26.	Application to appoint a Commissioner pursuant to Practice Direction no. 2 of 2009.	Court:	£80.
27.	In désastre proceedings, attending a meeting of creditors for the proving of claims against a debtor whose affairs have been declared to be in a state of désastre.	Commissioner: Greffier: Sheriff:	£139. £87. £73.
28.	Hearing before a Commissioner in proceedings brought under the Companies (Guernsey) Law, 2008 in respect of the examination of a liquidator's accounts.	Commissioner: Greffier: Sheriff:	£139. £87. £73.
29.	Hearing before a Commissioner not otherwise provided for in these Rules.	Commissioner: Greffier: Sheriff:	£139. £87. £73.
30.	Attending at any place outside the Court for the purpose of signing a document.	Jurats:	£139.
31.	Attending any sale or letting.	Jurats:	£139 per property, subject to a maximum fee of £278.
32.	Execution of an eviction order.	Sheriff:	£73 plus £73 per hour worked or part thereof and, in addition -

		(a)	the cost of making an inventory of personalty removed into storage under Rule 2 of the Eviction Procedures Rules, 1989 and the cost of printing copies thereof (if any),
		(b)	the reasonable cost incurred in removing the personalty from the premises subject to the eviction order and transporting it into storage for safe keeping, and
		(c)	the cost of publication of the notice under Rule 3(1) of the said Rules.
33.	Filing of an affidavit.	Greffier:	£73.
34.	Payment into Court.	Greffier:	£113.
35.	Reserving or setting down a date for trial in any matter.	(1) (2)	Court: £139, and £213 per half day set down. Provided that - (a) if and only if the date is vacated on the 14 th 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 fees chargeable under paragraph 4.
36.	Acts of Court (including Pleadings) and Certificates		

<p>(a) certified copies, including scanned copies (excluding the original certified copy provided to the Plaintiff/Applicant following proceedings specified elsewhere in these Rules),</p> <p>(b) uncertified copies.</p>	<p>Greffier: £8 for the first page of each document and £1.80 for each additional page,</p> <p>Greffier: £4 for the first and £1.80 for each additional page.</p>
<p>37. Copies of a deposition or transcript of evidence.</p>	<p>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.</p>
<p>38. (a) Provision of digital recordings of hearings or</p> <p>(b) Listening to digital recording of proceedings.</p>	<p>Greffier: £40 per hour or part thereof.</p>
<p>39. 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 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>

			Transmission costs will be charged at cost.
	(c) Teams link (video-conferencing)	Court:	£73.
40.	Instantaneous transcript production i.e. Live Notes.	Court:	£139 per day or part thereof.
41.	Photocopying of documents not otherwise specified in 35 and 36.	Greffier:	£1.20 per A4 side.
42.	Memorandum of Conviction.	Greffier:	£80.
43.	Application to the Bailiff for leave to serve a summons signed by the applicant in person.	Court:	£139.
44.	Taxation proceedings -		
	(a) filing of request for taxation,	Greffier:	£87,
	(b) determination of request to appoint judge/commissioner,	Court:	£166,
	(c) filing of Points of Dispute by paying party,	Greffier:	£166
	(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 relating to taxation hearings.	Court:	£166.
45.	Litigation searches.	Greffier:	£25 per search per half hour or part thereof or, where premium service agreed, £38 per search per half hour or part thereof.