

ANTIGUA AND BARBUDA



**EASTERN CARIBBEAN SUPREME COURT (COURT PROCEEDINGS FEES)
(ANTIGUA AND BARBUDA) RULES, 2017**

STATUTORY INSTRUMENT

2017, No. 68

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ANTIGUA AND BARBUDA

EASTERN CARIBBEAN SUPREME COURT (COURT PROCEEDINGS FEES) (ANTIGUA AND BARBUDA) RULES, 2017

ARRANGEMENT OF RULES

RULES

1. Citation and Commencement
2. High Court Civil Proceedings Fees
3. High Court Family Proceedings Fees
4. High Court Admiralty and Bankruptcy Proceedings Fees
5. Non Contentious Probate and Administration of Estates Fees.
6. Court of Appeal Fees
7. Transcript of Court Proceedings Fees

SCHEDULE

ANTIGUA AND BARBUDA
**EASTERN CARIBBEAN SUPREME COURT (COURT PROCEEDINGS
FEES) (ANTIGUA AND BARBUDA) RULES, 2017**

STATUTORY INSTRUMENTS

2017, No. 68

In exercise of the powers conferred pursuant to section 17 of the Supreme Court Order 1967, the Chief Justice and two other Judges of the Supreme Court make these Rules—

1. Citation and Commencement

(1) These Rules may be cited as the Eastern Caribbean Supreme Court (Court Proceedings Fees) (Antigua and Barbuda) (Amendment) Rules, 2017.

(2) These Rules shall come into force on the 1st day of October, 2017.

2. High Court Civil Proceedings Fees

The fees to be taken in the High Court in respect of civil proceedings, except the fees for Family proceedings and Admiralty and Bankruptcy proceedings, shall be in accordance with the fees specified in Schedule 1.

3. High Court Family Proceedings Fees

The fees to be taken in the Court in respect of Family Proceedings shall be in accordance with the fees specified in Schedule 2.

4. High Court Admiralty and Bankruptcy Proceedings Fees

The fees to be taken in the High Court in respect of—

(a) Admiralty; or

- (b) Bankruptcy proceedings in the High Court under the Insolvency Act, 2003, shall be in accordance with the fees specified in Schedule 3.

5. Non-Contentious Probate and Administration Estates Proceedings Fees

The fees to be taken in the High Court in respect of Non-Contentious Probate and Administration of Estate proceedings shall be in accordance with the fees specified in Schedule 4

6. Court of Appeal Fees

The fees to be taken in the Court of Appeal in respect of Criminal and Civil proceedings shall be in accordance with the fees specified in Schedule 5.

7. Transcript of Court Proceedings Fees

(1) The fees to be taken in the High Court in respect of the preparation of Transcripts of Court Proceedings in civil proceedings shall be in accordance with the fees specified in Schedule 6.

(2) The fees to be taken in the High Court in respect of the preparation of Transcripts of Court Proceedings in criminal proceedings shall be in accordance with the fees specified in Schedule 7.

SCHEDULE 1

(Rule 2)

HIGH COURT CIVIL PROCEEDINGS FEES

| High Court Civil | |
|---|-------------|
| Document/Process | Fees |
| Acknowledgement of Service | \$20.00 |
| Affidavit/Statutory Declaration | \$20.00 |
| Amended Statement of Case | \$40.00 |
| Application/Notice of Application | \$40.00 |
| Articles of Sale | \$20.00 |
| Bundle including core and trial bundle | \$30.00 |
| Copy (per page) | \$1.00 |
| Certified copy (per document) | \$10.00 |
| Certificates | \$15.00 |
| Change of Legal Practitioner | \$10.00 |
| Entry of default judgment or judgment on admission | \$20.00 |
| Joinder of issue | \$15.00 |
| Judgment Summons | \$40.00 |
| Liquidators Report | \$50.00 |
| List of Documents | \$25.00 |
| List of Witnesses | \$10.00 |
| Listing questionnaire | \$10.00 |
| Notice (except notice of application or application) | \$10.00 |
| Order (up to three copies) | \$25.00 |
| Order (each additional copy) | \$5.00 |
| Request for entry of default judgment or judgment on admission | \$10.00 |
| Search (per file) | \$5.00 |
| Skeleton Argument/Submission (up to the first ten pages) | \$10.00 |
| Skeleton Argument/Submission (each additional page after first 10) | \$1.00 |
| Statement of account | \$15.00 |
| Statement of Case *Includes defence, claim form, statement of claim, reply | \$50.00 |
| Undertaking | \$20.00 |

| | |
|--|---------|
| Witness Statement/Summary | \$10.00 |
| Witness Summons | \$20.00 |
| Writ | \$50.00 |
| For filing any other document or matter not herein specified | \$20.00 |

SCHEDULE 2

(Rule 3)

HIGH COURT FAMILY PROCEEDINGD FEES

| Family Proceedings | |
|--|-------------|
| Documents/Process | Fees |
| Acknowledgement of Service | \$20.00 |
| Affidavit Declarations | \$20.00 |
| Answer | \$20.00 |
| Applictions/Summons | \$25.00 |
| Applications for Registrar's certificate | \$10.00 |
| Application to make decree absolute | \$10.00 |
| Bill of costs | \$15.00 |
| Certificate of search | \$5.00 |
| Certificate with regard to reconciliation | \$5.00 |
| Consent to At as Guardian Ad Litem | \$5.00 |
| Consent of Parents (if needed) | \$5.00 |
| Copy of document (per page) | \$1.00 |
| Decree Absolute/Certificate of Decree Absolute | \$15.00 |
| Decree Nisi | \$10.00 |
| Entry of Apperance | \$5.00 |
| Exhibits/Certificate of Exhibits | \$10.00 |
| Notice | \$10.00 |
| Order | \$20.00 |
| Originating Summons | \$20.00 |
| Petition/Counter/Cross Petition | \$20.00 |
| Registrar's Certificate | \$10.00 |
| Report of Guardian Ad Litem | \$5.00 |
| Request for Directions/Hearing/Particulars etc | \$10.00 |
| Search (per file) | \$5.00 |

| | |
|--|---------|
| Legal Practitioner's Certificate | \$10.00 |
| Statement as to arrangements for children | \$10.00 |
| Undertaking | \$20.00 |
| Warrant to Act | \$10.00 |
| Writ | \$50.00 |
| For filing any other document or matter not herein specified | \$20.00 |

SCHEDULE 3

(Rule 4)

HIGH COURT ADMIRALTY AND BANKRUPTCY PROCEEDINGS

FEES

| Admiralty and Bankruptcy | |
|--|-------------|
| Document/Process | Fees |
| Acknowledgement of Service | \$20.00 |
| Affidavit | \$20.00 |
| Application | \$40.00 |
| Appraisalment | \$30.00 |
| Bond | \$50.00 |
| Caveat against release | \$15.00 |
| Claim form in rem/in personam | \$100.00 |
| Consent to release | \$15.00 |
| Judgement in Default | \$20.00 |
| Limitation Claim | \$100.00 |
| Notices | \$20.00 |
| Praecepte for caveat/release | \$30.00 |
| Preliminary Act | \$50.00 |
| Release | \$100.00 |
| Request | \$10.00 |
| Search (per file) | \$5.00 |
| Undertaking | \$20.00 |
| Warrant of Arrest | \$150.00 |
| Warrant (other) | \$10.00 |
| For filing any other document or matter not herein specified | \$20.00 |

SCHEDULE 4 (Rule 5)**NON- CONTENTIOUS PROBATE AND ADMINISTRATION OF
ESTATES PROCEEDINGS FEES***Rule 74*

| NON- CONTENTIOUS PROBATE AND ADMINISTRATION OF ESTATES FILING FEES | |
|---|-------------|
| Documents | Fees |
| Application for Grant of Probate | \$100.00 |
| Application for grant of Letters of Administration | \$100.00 |
| Every Affidavit filed | \$100.00 |
| Declaration as to Value of the Estate (If the value exceeds \$5,000.00) | \$1000.00 |
| Declaration as to Value of the Estate: If the value is \$5,000 and under, except in the case of the Territory of the Virgin Islands, fees will be as following: | \$100.00 |
| Below \$10,000.00..... | \$ 200.00 |
| \$10,001 - \$50,000..... | \$ 500.00 |
| \$50,001 - \$250,000..... | \$ 750.00 |
| \$250,001- \$500,000..... | \$1,000.00 |
| \$500,001 - \$1,000,000..... | \$1,200.00 |
| \$1,000,001 - \$5,000,000..... | \$2,000.00 |
| Over \$5,000,000..... | \$ 5,000.00 |
| Order | \$100.00 |
| Grant of Probate or Letters of Administration | \$100.00 |
| Certificates (Birth, Death, Marriage per Certificate) | \$10.00 |
| Newspaper Advertisement on filing | \$10.00 |
| Renunciation | \$100.00 |
| Reason for Delay | \$100.00 |

| | |
|-----------------------------|----------|
| Last Will and Testament | \$25.00 |
| Entry of a Caveat | \$200.00 |
| Renewal of Caveat | \$100.00 |
| Issue of Warning for Caveat | \$100.00 |
| Issue of Citation | \$200.00 |

| NON CONTENTIOUS PROBATE AND ADMINISTRATION OF ESTATES FILING FEES | |
|--|----------|
| Appearance to Warning or Citation | \$20.00 |
| Search | \$10.00 |
| Application for Resealing Grant | \$200.00 |
| Oath | \$20.00 |
| Marking of Will at Registry | \$20.00 |
| Exhibits (deed, paper, memorandum etc.) | \$20.00 |
| Witness Summons | \$20.00 |
| Acknowledgment of Service | \$20.00 |
| On filing, production or copy of any document for which no fee is Specifically provided | \$50.00 |
| | |

SCHEDULE 5 (Rule 6)

**COURT OF APPEAL
(CIVIL AND CRIMINAL PROCEEDINGS) FEES**

| Court of Appeal | |
|--|-------------|
| Document/Process | Fees |
| Civil | |
| Notice of Appeal: | |
| Value of claim up to \$100,000 | \$200.00 |
| Value of claim \$100,001-\$500,000 | \$300.00 |
| Value of claim more than \$500,001 | \$600.00 |
| Where no value of claim is ascertained | \$200.00 |

| | |
|--|---|
| Counter Notice/Cross Appeal | \$150.00 |
| Amended Notice of Appeal | \$50.00 |
| Core Bundle | \$100.00 |
| Record of Appeal (up to 100 pages) | \$100.00 |
| Record of Appeal (from 101-200 pages) | \$150.00 |
| Record of Appeal (exceeding 200 pages) | \$200.00 |
| Case stated on question of law | \$100.00 |
| Affidavit | \$20.00 |
| Application | \$40.00 |
| Motion for leave to appeal to the Judicial Committee of the Privy Council/Her Majesty in Council | \$150.00 |
| Motion for final leave to appeal to the Judicial Committee of the Privy Council/Her Majesty in council | \$50.00 |
| Settling the Record of Appeal for the Privy Council | \$100.00 |
| Certifying any document | \$25.00 |
| Copy of Judgment, Order, or Certificate of result or another document filed | \$1.00 |
| Search (per file) | \$10.00 |
| Skeleton Arguments/Submission Not exceeding 15 pages | \$50.00 |
| Skeleton Arguments/Submissions exceeding 15 pages | \$50.00 Plus \$1 per additional page |
| Notice of Opppsition | \$15.00 |
| Certificate of Exhibits | \$15.00 |
| On filing every document or exhibit for which no special fee is provided | \$20.00 |
| Orders | \$25.00 |
| Criminal | |
| Documents/Process | Fees |
| Notice of Appeal | \$5.00 |
| Skeleton Arguments (NOT exceeding 10 pages) | \$20.00 |
| Skeleton Arguments (exceeding 10 pages) | \$30.00 |
| Application | \$10.00 |
| On filing every document or exhibit for which no special fee is provided | \$10.00 |

SCHEDULE 6

(Rule 7 (1))

TRANSCRIPT OF COURT PROCEEDINGS

(CIVIL PROCEEDINGS) FEES

| Transcript Rates | Original Per page | First Copy to Each Party Per page | Each Additional Copy to The Same Party Per page |
|---|------------------------------|--|--|
| 30 Day Transcript A transcript to be delivered within thirty (30) calendar days after receipt of an order. | \$6 | \$5 | \$3 |
| 14 day Transcript A transcript to be delivered within fourteen (14) calendar days after receipt of an order. | \$8 | \$6 | \$3 |
| 7 Day Transcript A transcript to be delivered within seven (7) calendar days after receipt of an order. | \$10 | \$8 | \$5 |
| Daily Transcript A transcript to be delivered following adjournment and prior to the normal opening hour of the court on the following morning whether or not it is a business day. | \$12 | \$10 | \$7 |
| Hourly Transcript A transcript of proceedings | \$15 | \$12 | \$9 |

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| ordered under unusual circumstances to be delivered within two (2) hours. | | | |
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| <p>Real time Transcript A draft unedited transcript produced by a certified real time reporter as a byproduct of real time to be delivered electronically during proceedings or immediately following adjournment.</p> | <p>One feed, \$3.00 per page; two-to-four feeds, an additional \$2.00 per page; five or more feeds, an additional \$1.50 per page</p> | |
|---|---|--|

SCHEDULE 7 (Rule 7 (2))

TRANSCRIPT OF COURT PROCEEDINGS

(CRIMINAL PROCEEDINGS) FEES

| Transcript Rates | Original Per page | First Copy to Each Party Per page | Each Additional Copy to the Same Party Per page |
|--|------------------------------|--|--|
| <p>30 Day Transcript A transcript to be delivered within thirty (30) calendar days after receipt of an order.</p> | \$2 | \$1 | \$1 |

| | | | |
|---|---|-----|-----|
| <p>14 Day Transcript A transcript to be delivered within fourteen (14) calendar days after receipt of an order.</p> | \$4 | \$2 | \$1 |
| <p>7 Day Transcript A transcript to be delivered within seven (7) calendar days after receipt of an order.</p> | \$5 | \$3 | \$2 |
| <p>Daily Transcript A transcript to be delivered following adjournment and prior to the normal opening hour of the court on the following morning whether or not it is a business day.</p> | \$6 | \$4 | \$3 |
| <p>Hourly Transcript A transcript of proceedings ordered under unusual circumstances to be delivered within two (2) hours.</p> | \$8 | \$6 | \$4 |
| <p>Real time Transcript A draft unedited transcript produced by a certified real time reporter as a byproduct of real time to be delivered electronically during proceedings or immediately following adjournment.</p> | <p>One feed, \$3.00 per page; two-to-four feeds, an additional \$2.00 per page; five or more additional \$1.50 per page</p> | | |

Made this 29th day of September, 2017.

Hon. Dame Jamie M. Pereira

Chief Justice

Davidson K. Baptiste.

Justice of Appeal

Francis Bell

High Court Judge