

**MONTSERRAT**  
**STATUTORY RULES AND ORDERS**  
**S.R.O. 3 OF 2018**

**EASTERN CARIBBEAN SUPREME COURT**  
**(COURT PROCEEDINGS FEES) RULES**

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**MONTSERRAT**  
**STATUTORY RULES AND ORDERS**  
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**EASTERN CARIBBEAN SUPREME COURT**  
**(COURT PROCEEDINGS FEES) RULES**

**THE EASTERN CARIBBEAN SUPREME COURT (COURT PROCEEDINGS FEES) RULES 2017 MADE BY THE CHIEF JUSTICE AND TWO OTHER JUDGES OF THE SUPREME COURT UNDER SECTION 17 OF THE SUPREME COURT ORDER 1967 (S.I. 1967 No. 223).**

**1. Citation and commencement**

- (1) These Rules may be cited as the Eastern Caribbean Supreme Court (Court Proceedings Fees) Rules, 2018.
- (2) These Rules come into force on 1 February, 2018.

**2. High Court civil proceedings fees**

The fees payable in the High Court in respect of civil proceedings, other than family proceedings, Admiralty proceedings and bankruptcy proceedings, are set out in Schedule 1.

**3. High Court family proceedings fees**

The fees payable in the High Court in respect of family proceedings are set out in Schedule 2.

**4. High Court Admiralty and bankruptcy proceedings fees**

The fees payable in the High Court in respect of—

- (a) Admiralty proceedings; or
- (b) bankruptcy proceedings in the High Court under the Bankruptcy Act, (Cap. 3.03),

are set out in Schedule 3.

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**5. Non-contentious probate and administration of estates proceedings fees**

The fees payable in the High Court in respect of non-contentious probate proceedings and administration of estate proceedings are set out in Schedule 4.

**6. Court of Appeal fees**

The fees payable in the Court of Appeal in respect of criminal and civil proceedings are set out in Schedule 5.

**7. Transcript of Court proceedings fees**

- (1) The fees payable in the High Court in respect of the preparation of transcripts of Court proceedings in civil proceedings are set out in Schedule 6.
- (2) The fees payable in the High Court in respect of the preparation of transcripts of Court proceedings in criminal proceedings are set out in Schedule 7.

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**SCHEDULE 1**

*(Rule 2)*

**HIGH COURT CIVIL PROCEEDINGS FEES**

<b>Document/Process</b>	<b>Fees</b>
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

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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

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**SCHEDULE 2**

*(Rule 3)*

**HIGH COURT FAMILY PROCEEDINGS FEES**

<b>Document/Process</b>	<b>Fees</b>
Acknowledgement of Service	\$20.00
Affidavit Declarations	\$20.00
Answer	\$20.00
Applications/Summons	\$25.00
Application 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 Act as Guardian Ad litem	\$5.00
Consent of Parents (if needed)	\$5.00
Copy of document (per page)	\$1.00
Certificate of dissolution of marriage (divorce, annulment, presumption of death)	\$15.00
Grant of dissolution of marriage	\$10.00
Entry of Appearance	\$5.00
Exhibits/Certificate of Exhibits	\$10.00
Notice	\$10.00

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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

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**SCHEDULE 3**

*(Rule 4)*

**HIGH COURT ADMIRALTY AND BANKRUPTCY PROCEEDINGS  
FEES**

<b>Document/Process</b>	<b>Fees</b>
Acknowledgement of Service	\$20.00
Affidavit	\$20.00
Application	\$40.00
Appraisement	\$30.00
Bond	\$50.00
Caveat against release	\$15.00
Claim form in rem/in personam	\$100.00
Consent to release	\$15.00
Judgment in Default	\$20.00
Limitation Claim	\$100.00
Notices	\$20.00
Praeceptum for caveat/release	\$30.00
Preliminary Act	\$50.00
Release	\$100.00
Request	\$10.00
Search (per file)	\$5.00
Undertaking	\$20.00



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Warrant of Arrest	\$150.00
Warrant (other)	\$10.00
For filing any other document or matter not herein specified	\$20.00

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**SCHEDULE 4**

*(Rule 5)*

**NON-CONTENTIOUS PROBATE AND ADMINISTRATION OF  
 ESTATES PROCEEDINGS FEES**

<b>Document</b>	<b>Fees</b>
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: (Except in the case of the Virgin Islands)	
If the value is \$5,000 and under	\$100.00
If the value exceeds \$5,000	\$1000.00
Declaration as to Value of the Estate: In the case of the Virgin Islands	
\$10,000 and under	\$200.00
\$10,001 - \$50,000	\$500.00
\$ 50,001 - \$250,000	\$750.00
\$250,001- \$500,000	\$1000.00
\$500,001- \$1,000,000	\$1,200.00
\$1,000,001 - \$5,000,000	\$2,000.00
\$5,000,000 and above	\$5,000.00
Order	\$100.00

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Grant of Probate or Letters of Administration	\$100.00
Certificates (Birth, Death, Marriage per certificate)	\$10.00
Newspaper Advertisements 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
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

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**SCHEDULE 5**

*(Rule 6)*

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

<b>Court of Appeal</b>	
<b>Civil</b>	
<b>Document/Process</b>	<b>Fees</b>
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 \$500,000	\$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

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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 Opposition	\$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
<b>Criminal</b>	
<b>Document/Process</b>	<b>Fees</b>
Notice of Appeal	\$5.00
Skeleton Arguments (not exceeding 10 pages)	\$20.00
Skeleton Arguments (exceeding 10 pages)	\$30.00
Application	\$10.00

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On filing every document or exhibit for which no special fee is provided	\$10.00
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**SCHEDULE 6**

*(Rule 7(1))*

**TRANSCRIPT OF COURT PROCEEDINGS  
(CIVIL PROCEEDINGS) FEES**

<b>Transcript Type</b>	<b>Original Per page</b>	<b>First Copy to Each Party Per page</b>	<b>Each Additional Copy to the Same Party Per page</b>
<b>30 Day Transcript</b> A transcript to be delivered within thirty (30) calendar days after receipt of an order.	\$6	\$5	\$3
<b>14 Day Transcript</b> A transcript to be delivered within fourteen (14) calendar days after receipt of an order.	\$8	\$6	\$3
<b>7 Day Transcript</b> A transcript to be delivered within seven (7) calendar days after receipt of an order.	\$10	\$8	\$5
<b>Daily Transcript</b> A transcript to be delivered following adjournment and prior to the normal opening hour of the court on the	\$12	\$10	\$7

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following morning whether or not it is a business day.			
<b>Hourly Transcript</b> A transcript of proceedings ordered under unusual circumstances to be delivered within two (2) hours.	\$15	\$12	\$9
<b>Real time Transcript</b> A draft unedited transcript produced by a certified real time reporter as a by product of real time to be delivered electronically during proceedings or immediately following adjournment.	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		



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**SCHEDULE 7**

*(Rule 7(2))*

**TRANSCRIPT OF COURT PROCEEDINGS  
(CRIMINAL PROCEEDINGS) FEES**

<b>Transcript Type</b>	<b>Original Per page</b>	<b>First Copy to Each Party Per page</b>	<b>Each Additional Copy to the Same Party Per page</b>
<b>30 Day Transcript</b> A transcript to be delivered within thirty (30) calendar days after receipt of an order.	\$2	\$1	\$1
<b>14 Day Transcript</b> A transcript to be delivered within fourteen (14) calendar days after receipt of an order.	\$4	\$2	\$1
<b>7 Day Transcript</b> A transcript to be delivered within seven (7) calendar days after receipt of an order.	\$5	\$3	\$2
<b>Daily Transcript</b> A transcript to be delivered following adjournment and prior to the normal opening hour of the court on the	\$6	\$4	\$3

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following morning whether or not it is a business day.			
<b>Hourly Transcript</b> A transcript of proceedings ordered under unusual circumstances to be delivered within two (2) hours.	\$8	\$6	\$4
<b>Real time Transcript</b> A draft unedited transcript produced by a certified real time reporter as a by product of real time to be delivered electronically during proceedings or immediately following adjournment.	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		

Made this 10<sup>th</sup> day of January, 2018.

(Sgd.) Janice M Pereira  
**Chief Justice**

(Sgd.) Davidson Kelvin Baptiste  
**Justice of Appeal**

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(Sgd.) Francis Belle  
**High Court Judge**

Published by exhibition by the Clerk of Cabinet at the Office of the Legislature,  
Farara Plaza, Brades, Montserrat, MSR1110, this 18<sup>th</sup> day of January, 2018.

(Sgd.) Marjorie Smith  
**Clerk of Cabinet**