

1975/129



## THE COURT OF APPEAL FEES REGULATIONS 1975

DENIS BLUNDELL, Governor-General  
ORDER IN COUNCIL

At the Government House at Wellington this 9th day of June 1975

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 100A of the Judicature Act 1908, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

### REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Court of Appeal Fees Regulations 1975.

(2) These regulations shall come into force on the 16th day of June 1975.

**2. Fees of Court**—(1) The fees specified in the Schedule hereto shall be payable, and shall be taken by the Registrar of the Court of Appeal, in proceedings in that Court in respect of the matters so specified in those cases where no other fee is prescribed in respect of the proceedings by any Act, regulations, Order in Council, or notice.

(2) All such fees shall be prepaid.

**3. Criminal proceedings excluded**—These regulations shall not apply to criminal proceedings.

**4. Revocations**—(1) The following enactments are hereby consequentially revoked—

(a) Rule 49 of the Court of Appeal Rules 1955\*, and the First Schedule to those rules:

(b) The Court of Appeal Rules 1955, Amendment No. 2†.

(2) The Court of Appeal Rules 1955\* are hereby amended by omitting from rule 48 the words “rule 49”, and substituting the words “the Court of Appeal Fees Regulations 1975”.

\*S.R. 1955/30

Amendment No. 1: S.R. 1966/69

Amendment No. 2: S.R. 1967/286

†S.R. 1967/286

(3) In respect of any proceedings commenced before the date of the coming into force of these regulations, no further fee shall be payable under the rules hereby revoked, and the appropriate fees, if any, set out in the Schedule hereto shall be payable in respect of any step in the proceedings taken on or after that date.

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### SCHEDULE

FEES PAYABLE IN RESPECT OF PROCEEDINGS IN THE COURT OF APPEAL		\$
1. Filing any motion or any motion of appeal .....		20.00
2. Setting down proceedings for hearing (including filing case on appeal and judgment appealed from) and hearing fee .....		50.00
3. Sealing any order or judgment (including every duplicate or certified copy thereof) .....		20.00
4. Settling and comparing record to Privy Council .....		50.00

P. G. MILLEN,  
Clerk of the Executive Council.

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### EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations prescribe a new and increased scale of Court fees payable in respect of civil proceedings in the Court of Appeal. The new scale comes into force on 16 June 1975.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 12 June 1975.

These regulations are administered in the Department of Justice.