



THE FAMILY PROCEEDINGS (COURT FEES) REGULATIONS 1988

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 7th day of March 1988

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 187 of the Family Proceedings Act 1980, 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 Family Proceedings (Court Fees) Regulations 1988.

(2) These regulations shall come into force on the 11th day of April 1988.

2. Fees of Court—(1) The fee to be taken in a District Court for filing any of the following applications under the Family Proceedings Act 1980, namely—

- (a) An application under section 27 (for a declaration whether according to the law of New Zealand a marriage is valid or a marriage has been validly dissolved);
- (b) An application under section 29 (for an order declaring a marriage to be void *ab initio*);
- (c) An application under section 32 (for an order declaring that the other party to a marriage is presumed to be dead and that the marriage is dissolved);

(d) An application under section 37 (for an order dissolving a marriage),—
shall be \$125.

(2) The fee shall be prepaid.

(3) No other fees shall be taken in respect of proceedings in a District Court or a Family Court under the Family Proceedings Act 1980 or the Family Proceedings Rules 1981*.

(4) The fees to be taken in respect of proceedings in the High Court or the Court of Appeal under the Family Proceedings Act 1980 shall be those prescribed by the High Court Fees Regulations 1988† and the Court of Appeal Fees Regulations 1988‡ respectively.

3. Goods and services tax included—The fee prescribed by these regulations is inclusive of goods and services tax under the Goods and Services Tax Act 1985.

4. Revocations—(1) The Family Proceedings (Court Fees) Regulations 1987§ are hereby revoked.

(2) The Fees Regulations 1987|| are hereby consequentially amended by revoking so much of the Schedule as relates to the Family Proceedings (Court Fees) Regulations 1987.

MARIE SHROFF,
Clerk of the Executive Council.

*S.R. 1981/261
†S.R. 1988/2
‡S.R. 1988/28
§S.R. 1987/42
||S.R. 1987/68

EXPLANATORY NOTE

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

These regulations, which come into force on 11 April 1988, increase from \$100 to \$125 the fee payable in respect of the filing in a District Court of certain applications affecting the status of a marriage (such as an application for an order dissolving a marriage).

The fee prescribed is inclusive of goods and services tax.

No other fees are prescribed in respect of proceedings under the Family Proceedings Act 1980 or the Family Proceedings Rules 1981 except that where proceedings are taken pursuant to that Act in the High Court or the Court of Appeal the general scales of fees applicable to proceedings in those Courts apply.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 10 March 1988.

These regulations are administered in the Department of Justice.