



THE HIGH COURT FEES REGULATIONS 1988

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 26th day of January 1988

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 High Court Fees Regulations 1988.

(2) These regulations shall come into force on the 1st day of March 1988.

2. Application—These regulations apply to civil proceedings in the High Court (being any proceedings in that Court other than criminal proceedings and proceedings in the Court of Appeal).

3. Fees of Court—(1) The fees specified in the Schedule hereto shall be payable, and shall be taken by the proper officer of the High Court, in proceedings in that Court to which these regulations apply 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:

Provided that where it appears to the satisfaction of the Court or a Judge that any party is unable or ought not be called upon to pay any of the fees mentioned in that Schedule, or any part thereof, the Court or a Judge may

dispense with the payment thereof, or any part thereof, subject to such terms as the Court or the Judge thinks fit.

(2) Subject to subclause (3) of this regulation and except as expressly provided in any Act, regulations, Order in Council, or notice, no other fees (except sheriff's fees) shall be payable in the High Court in respect of—

- (a) Any proceedings in that Court to which these regulations apply; or
- (b) Any caveat.

(3) Except as expressly provided in any Act, regulations, Order in Council, or notice, the fees to be taken in respect of proceedings in the Court of Appeal shall be those prescribed by the Court of Appeal Fees Regulations 1987*.

4. Amounts of goods and services tax included—The fees fixed by these regulations are inclusive of goods and services tax under the Goods and Services Tax Act 1985.

5. Revocations—(1) The High Court Fees Regulations 1987† are hereby consequentially revoked.

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

(3) In respect of proceedings commenced before the date of the coming into force of these regulations, no further fee shall be payable under the High Court Fees Regulations 1987, and the appropriate fees, if any, set out in the Schedule to these regulations shall be payable in respect of any step in the proceedings taken on or after that date.

*S.R. 1987/56
 †S.R. 1987/37
 ‡S.R. 1987/68

SCHEDULE
FEES PAYABLE IN RESPECT OF PROCEEDINGS
IN THE HIGH COURT

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1. Filing (including sealing where necessary) the original document commencing any proceedings (other than interlocutory proceedings) to which these regulations apply, unless otherwise provided for	75.00
For the purposes of this paragraph the original document commencing any proceedings is—	
(a) In the case of a proceeding commenced by statement of claim, the statement of claim; and	
(b) In the case of an appeal or cross appeal, the notice of appeal or other document by which the appeal or cross appeal is instituted; and	
(c) In every other case (including a proceeding to which Part IV or Part IVA of the High Court Rules applies), the first document (other than a caveat or a notice of motion for directions as to service) filed in the proceedings by the plaintiff which gives to the Court and to the opposite party (if any) particulars of the claim made or of the order or other relief sought by the plaintiff.	
2. Filing an interlocutory application—	
(a) In the case of an interlocutory application for an interim injunction	100.00
(b) In any other case (including an interlocutory application for summary judgment)	50.00
3. Filing—	
(a) Statement of defence; or	
(b) Amended statement of defence; or	
(c) Counterclaim; or	50.00
(d) Statement of defence and counterclaim where both are included in the one document; or	
(e) Appearance	
4. Filing, under rule 141 of the High Court Rules, an affidavit in answer to an affidavit filed in support of an interlocutory application for summary judgment	50.00
5. Setting down proceedings (other than interlocutory proceedings or an appeal or cross appeal) for hearing	350.00
6. Setting down appeal or cross appeal for hearing	250.00
7. Hearing fee for each half day or part thereof after the first day	200.00
This paragraph applies, unless otherwise provided, in respect of the hearing of every proceeding including—	
(a) The hearing of every appeal and every cross appeal; and	

SCHEDULE—*continued*FEES PAYABLE IN RESPECT OF PROCEEDINGS
IN THE HIGH COURT —*continued*

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(b) The hearing of every interlocutory application (including every interlocutory application for summary judgment in respect of which an affidavit in answer has been filed).	
8. Sealing the original copy of any judgment, order, rule, memorial, certificate, commission, letters of request, or judgment not otherwise provided for ..	25.00
Provided that no sealing fee shall be payable in respect of—	
(a) Any order made in interlocutory proceedings; or	
(b) Any probate or letters of administration; or	
(c) Any order for admission as a barrister and solicitor.	
9. Issue of certified copy of any document or any Registrar's certificate	20.00
10. Filing any application for admission as a barrister and solicitor	125.00
11. Filing any application for probate or letters of administration	75.00
Where a fee is paid under this paragraph, no fee shall be payable in respect of any application for leave to swear death in respect of the testator or other person in respect of whom the grant of administration is sought.	
12. Sealing exemplifications or duplicates (probate or letters of administration) or resealing pursuant to section 71 of the Administration Act 1969	25.00
13. Filing any notice of appeal against a decision of a Land Valuation Tribunal	225.00
14. Filing any notice of appeal under section 148 of the Law Practitioners Act 1982	150.00
15. Attendance before Registrar in inquiry or reference, or examination of witnesses by Registrar under order of the Court	250.00
16. Copy of judgment (other than copy supplied to a party to the proceedings),—	
(a) Not exceeding 5 pages	5.00
(b) Exceeding 5 pages	15.00
17. Copy of any document, other than a judgment, per page	1.00
18. Search of Court records (including a search relating to one or more files)—for each search	20.00
19. Search of any register or file that relates to an application for a grant of administration under the Administration Act 1969 or any corresponding former Act or to proceedings for the recall of any such grant—for each file searched	10.00

SCHEDULE—*continued*FEES PAYABLE IN RESPECT OF PROCEEDINGS
IN THE HIGH COURT — *continued*

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The fee payable under this paragraph in respect of any file includes the cost of obtaining a copy of any document on that file.

20. Appointment of Commissioner to take affidavits . . . 150.00

MARIE SHROFF

Clerk of the Executive Council.

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 1 March 1988, prescribe a new and increased scale of Court fees payable in respect of civil proceedings in the High Court.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 28 January 1988.

These regulations are administered in the Department of Justice.