



THE SHERIFFS' 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 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 Sheriffs' Fees Regulations 1988.

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

2. Fees prescribed—In any proceedings before the High Court or the Court of Appeal, whether under the Judicature Act 1908 or any other enactment, the fees specified in the Schedule to these regulations shall, in respect of the matters specified in that Schedule, be levied and taken by any Sheriff, Deputy Sheriff, Sheriff's officer or bailiff, or any other person employed under any Sheriff or Deputy Sheriff:

Provided that where it appears to the satisfaction of the Court or a Judge that any party is unable or ought not to 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.

3. Goods and services tax included—The fee specified in clause 1 of the Schedule to these regulations is inclusive of goods and services tax under the Goods and Services Tax Act 1985.

4. Revocations—(1) The Sheriffs' 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 Sheriffs' Fees Regulations 1987.

(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 Sheriffs' 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. 1987/38
†S.R. 1987/68

Reg. 2

SCHEDULE
SHERIFFS' FEES

1. For every warrant on writ of sale, writ of arrest, attachment, or other process, including the application, execution, and return: \$350.
2. For advertising a sale: The amount actually paid.
3. For conducting a sale by auction: The amount actually paid to an auctioneer by way of commission.
4. For service of any summons beyond 1 kilometre from the Sheriff's office, a fee, at a rate to be determined by the Sheriff, for every kilometre one way:

Provided that the rate determined shall not exceed the maximum rate for the time being payable to an employee of the Public Service who uses the employee's own motorcar on official business.

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 11 April 1988, prescribe a new scale of Sheriffs' fees.

The fee payable for every warrant on writ of sale, writ of arrest, attachment, or other process is increased from \$300 to \$350. It is inclusive of goods and services tax.

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.