

**Reprint
as at 1 July 2013**



Admiralty (Fees) Order 1997

(SR 1997/333)

Admiralty (Fees) Order 1997: revoked, on 1 July 2013, by regulation 28(b) of the High Court Fees Regulations 2013 (SR 2013/226).

Michael Hardie Boys, Governor-General

Order in Council

At Wellington this 1st day of December 1997

Present:

His Excellency the Governor-General in Council

Pursuant to section 11(4) of the Admiralty Act 1973, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following order.

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

This order is administered by the Ministry of Justice.

4 Revocation

3

Order

1 Title and commencement

- (1) This order may be cited as the Admiralty (Fees) Order 1997.
- (2) This order comes into force on 1 January 1998.

2 Fees of court

- (1) The fee payable in respect of the filing of an application under rule 25.34 of the High Court Rules for the issue of a warrant of arrest is \$1,111.70.
- (2) The fee payable in respect of the filing under rule 25.51 of the High Court Rules of a request for a commission for the appraisal and sale of any property is \$1,087.50.
- (3) Except for the fees prescribed by subclauses (1) and (2), the fees payable in respect of proceedings in the High Court in its Admiralty jurisdiction are those prescribed by the High Court Fees Regulations 2001.
- (4) The fees in respect of proceedings in a District Court in its Admiralty jurisdiction are those prescribed by the District Courts Fees Regulations 2001.

Clause 2(1): amended, on 1 July 2011, by clause 4(1)(a) of the Admiralty (Fees) Amendment Order 2011 (SR 2011/156).

Clause 2(1): amended, on 1 July 2011, by clause 4(1)(b) of the Admiralty (Fees) Amendment Order 2011 (SR 2011/156).

Clause 2(1): amended, on 1 July 2004, by clause 3(1) of the Admiralty (Fees) Amendment Order 2004 (SR 2004/160).

Clause 2(2): amended, on 1 July 2011, by clause 4(2)(a) of the Admiralty (Fees) Amendment Order 2011 (SR 2011/156).

Clause 2(2): amended, on 1 July 2011, by clause 4(2)(b) of the Admiralty (Fees) Amendment Order 2011 (SR 2011/156).

Clause 2(2): amended, on 1 July 2004, by clause 3(2) of the Admiralty (Fees) Amendment Order 2004 (SR 2004/160).

Clause 2(3): amended, on 1 July 2004, by clause 3(3) of the Admiralty (Fees) Amendment Order 2004 (SR 2004/160).

Clause 2(4): amended, on 1 July 2004, by clause 3(4) of the Admiralty (Fees) Amendment Order 2004 (SR 2004/160).

3 Goods and services tax included

The fees prescribed by this order are inclusive of goods and services tax.

4 Revocation

The Admiralty (Fees) Order 1992 (SR 1992/138) is consequentially revoked.

Diane Wilderspin,
Acting for Clerk of the Executive Council.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 4 December 1997.

High Court Fees Regulations 2013

(SR 2013/226)

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 20th day of May 2013

Present:

His Excellency the Governor-General in Council

Pursuant to section 18(4) of the Administration Act 1969, section 11(4) of the Admiralty Act 1973, section 100A of the Judicature Act 1908, sections 57 and 339(g) of the Lawyers and Conveyancers Act 2006, sections 67(2)(b) and 70(2) of the Local Government (Rating) Act 2002, section 52 of the Māori Trustee Act 1953, section 363(d) of the Property Law Act 2007, section 147 of the Public Trust Act 2001, and section 41 of the Trustee Companies Act 1967, His Excellency the Governor-General, acting—

- (a) on the advice and with the consent of the Executive Council; and
- (b) to the extent that these regulations prescribe the fees referred to in section 12BA of the Māori Trustee Act 1953, on the recommendation of the Minister of Māori Affairs,—

makes the following regulations.

Regulations

1 Title

These regulations are the High Court Fees Regulations 2013.

2 Commencement

- (1) Except as provided in subclause (2), these regulations come into force on 1 July 2013.

- (2) Item 29 in the fees table, which relates to filing an application for an order protecting a secured party's interests, comes into force on the later of—
- (a) 1 July 2013; and
 - (b) the date appointed under section 2(2) of the District Courts Amendment Act 2011 for the coming into force of section 33 of that Act.

Consequential and transitional matters

29 Transitional provision

- (1) In respect of a proceeding commenced before 1 July 2013,—
- (a) an enactment revoked by regulations 25 to 28 continues to apply in respect of any step taken before 1 July 2013; and
 - (b) these regulations apply in respect of any step taken on or after that date.
- (2) However, in respect of a hearing described in subclause (3),—
- (a) regulations 9 to 14 of these regulations and items 17 to 20 of the fees table do not apply; and
 - (b) regulations 11, 11A, and 12 and items 6 to 9 of the Schedule of the High Court Fees Regulations 2001 continue to apply.
- (3) Subclause (2) applies to a hearing if the Registrar notifies the parties of the scheduled hearing date before 1 July 2013.

Rebecca Kitteridge,
Clerk of the Executive Council.

Date of notification in *Gazette*: 23 May 2013.

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Notes**1 *General***

This is a reprint of the Admiralty (Fees) Order 1997. The reprint incorporates all the amendments to the order as at 1 July 2013, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*

High Court Fees Regulations 2013 (SR 2013/226): regulation 28(b)

Admiralty (Fees) Amendment Order 2011 (SR 2011/156)

Admiralty (Fees) Amendment Order 2004 (SR 2004/160)
