

Reprint
as at 1 July 2013

**High Court Fees Amendment
Regulations 2003**

(SR 2003/292)

High Court Fees Amendment Regulations 2003: revoked, on 1 July 2013,
pursuant to regulation 28(c) of the High Court Fees Regulations 2013 (SR
2013/226).

Pursuant to section 100A of the Judicature Act 1908, Her Excellency
the Governor-General, acting on the advice and with the consent of
the Executive Council, makes the following regulations.

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Note

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

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

These regulations are administered by the Ministry of Justice.

1 Title

- (1) These regulations are the High Court Fees Amendment Regulations 2003.
- (2) In these regulations, the High Court Fees Regulations 2001¹ are called “the principal regulations”.

2 Commencement

These regulations come into force on 24 November 2003.

3 Interpretation

Regulation 3 of the principal regulations is amended by inserting, in their appropriate alphabetical order, the following definitions:

appeal means an appeal under Part 10 or Part 17 of the High Court Rules; and appellant has a corresponding meaning

High Court Rules means the rules from time to time set out in Schedule 2 of the Act

setting down date, in relation to a proceeding on the standard track, means the setting down date determined for the proceeding under rule 434(3) or (5) of the High Court Rules

standard track means the standard track within the meaning of rule 426 of the High Court Rules

working day has the same meaning as in rule 3(1) of the High Court Rules.

4 New regulations 11 and 11A substituted

The principal regulations are amended by revoking regulation 11, and substituting the following regulations:

“11 Payment of fees for determining setting down dates

- “(1) The plaintiff in a proceeding on the standard track must pay the appropriate fee specified in item 5 of the Schedule by the earlier of the following days:
 - “(a) the working day before the commencement of the substantive hearing;
 - “(b) the tenth working day after the setting down date for the proceeding.

¹ SR 2001/310

“(2) Despite subclause (1), the fee ceases to be payable if the Registrar is, before the day by which the fee must be paid, notified that the proceeding has been settled or discontinued or abandoned.

“(3) This regulation is subject to regulations 6 and 7.

“11A Payment of fees for determining hearing dates for appeals

“(1) The appellant in an appeal must pay the appropriate fee specified in item 6 of the Schedule by the earlier of the following days:

“(a) the working day before the commencement of the hearing of the appeal:

“(b) the tenth working day after the day on which the hearing date for the appeal is determined by, or under, a direction of the Court.

“(2) Despite subclause (1), the fee ceases to be payable if the Registrar is, before the day by which the fee must be paid, notified that the appeal has been settled or discontinued or abandoned.

“(3) This regulation is subject to regulations 6 and 7.”

5 Hearing fees to be prepaid

Regulation 12 of the principal regulations is amended by revoking subclauses (1) to (3), and substituting the following subclauses:

“(1) The plaintiff, applicant, or appellant (as the case requires) must prepay the appropriate hearing fee specified in item 7 or item 8 of the Schedule not later than the beginning of each half-day (or part of a half-day) of the hearing for which the fee is payable.

“(2) If any fee that has been prepaid relates to 1 or more half-days of hearing time that is not in the end required, the Registrar must refund so much of the fee as relates to that hearing time.

“(3) If the plaintiff’s claim in a proceeding is determined, settled, or discontinued but a counterclaim remains to be heard, the party still requiring the hearing or the continuation of the hearing is responsible for the fee from the time when the plaintiff’s claim is determined, settled, or discontinued.”

6 Schedule amended*[Revoked]*

Regulation 6: revoked, on 1 July 2011, by regulation 5(a) of the High Court Fees Amendment Regulations 2011 (SR 2011/163).

Diane Morcom,
Clerk of the Executive Council.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in Gazette: 23 October 2003.

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Notes

1 *General*

This is an eprint of the High Court Fees Amendment Regulations 2003. The eprint incorporates all the amendments to the regulations as at 1 July 2013. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 3 September 2007.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the eprint are also included, after the principal enactment, in chronological order.

2 *About this eprint*

This eprint has not been officialised. For more information about eprints and officialisation, please *see* <http://www.pco.parliament.govt.nz/eprints/>.

3 *List of amendments incorporated in this eprint (most recent first)*

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

High Court Fees Amendment Regulations 2011 (SR 2011/163): regulation 5(a)
