

**SECOND SUPPLEMENT TO THE GIBRALTAR  
GAZETTE  
No. 4161 of 2 April, 2015**

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LEGAL NOTICE NO. 62 OF 2015.

**SUPREME COURT ACT**

**SUPREME COURT (AMENDMENT) RULES 2015**

In exercise of the powers conferred upon him by section 38 of the Supreme Court Act and all other enabling provisions, the Chief Justice has made the following Rules-

**Title.**

1. These Rules may be cited as the Supreme Court (Amendment) Rules 2015.

**Commencement.**

2. These Rules come into operation on 13 April 2015.

**Amendment of the Supreme Court Rules 2000.**

3.(1) The Supreme Court Rules 2000 are amended in accordance with this rule.

(2) For rule 49 substitute-

“49.(1) Subject to sub-rule (2), the fees to be taken by the Registrar shall be the fees set out in Schedule 6.

(2) The fees set out in Schedule 6 may be varied in the following circumstances-

- (a) a judge may reduce or remit any fee which it appears to him that owing to the exceptional circumstances of the particular case it would involve undue hardship;
- (b) no fee shall be taken where by any convention or agreement entered into with any country and binding on the Government of Gibraltar it is provided that no

fee shall be payable in respect of any class of proceeding; and

(c) no fee shall be payable by the Crown.”.

(3) For Schedule 6 substitute-

**“SCHEDULE 6**

**FEES**

Description of fee	Amount of fee
<b><u>1. CIVIL PROCEEDINGS</u></b>	
1.1 <u>Starting a Claim</u>	
<u>Money Claims</u>	
On starting proceedings to recover a sum of money, based on the amount claimed, including interest, where the sum claimed:	
(a) does not exceed £300	£35
(b) exceeds £300 but does not exceed £500	£50
(c) exceeds £500 but does not exceed £1,000	£70
(d) exceeds £1,000 but does not exceed £1,500	£80
(e) exceeds £1,500 but does not exceed £3,000	£115
(f) exceeds £3,000 but does not exceed £5,000	£200
(g) exceeds £5,000 but does not exceed £10,000	£350
(h) exceeds £10,000 but does not exceed £15,000	£400
(i) exceeds £15,000 but does not exceed £25,000	£500
(j) exceeds £25,000 but does not exceed £50,000	£600
(k) exceeds £50,000 but does not exceed £100,000	£800
(l) exceeds £100,000 but does not exceed £150,000	£1,000
(m) exceeds £150,000 but does not exceed £200,000	£1,200
(n) exceeds £200,000 but does not exceed £250,000	£1,500
(o) exceeds £250,000 but does not exceed £300,000	£1,700
(p) exceeds £300,000 but does not exceed £500,000	£2,000
(q) exceeds £500,000 but does not exceed £1,000,000	£2,500
(r) exceeds £1,000,000 but does not exceed £5,000,000	£3,000
(s) exceeds £5,000,000 but does not exceed £10,000,000	£4,000

	(t) exceeds £10,000,000 or is not limited or unspecified	£5,000
On the filing of a counterclaim		The same fee as if the remedy sought were the subject of separate proceedings

Non-money Claims

On starting proceedings for any other remedy		£300
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On filing of proceedings against a party or parties not named in the proceedings		£50
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On starting proceedings for judicial review		£500
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1.2 Hearing Fees

Within 14 days of the court fixing the trial date, the fee payable for the hearing of:

A case on the Small Claims Track where the sum claimed:	(a) does not exceed £300	£25
	(b) exceeds £300 but does not exceed £500	£55
	(c) exceeds £500 but does not exceed £1,000	£80
	(d) exceeds £1,000 but does not exceed £1,500	£115
	(e) exceeds £1,500 but does not exceed £3,000	£170
	(f) exceeds £3,000	£335

A case on the fast track		£450
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A case on the multi-track (for the first 15 sitting days)		£900
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In the multi-track, for every additional sitting day, or part thereof, after the first 15 sitting days		£400
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1.3 General Civil Proceedings Fees

Applications

On an application on notice where no other fee is specified	£150
On an application by consent or an application to be dealt with without a hearing where no other fee is specified	£50
Application for a summons or order for a witness to attend court	£50
Application for a certificate of satisfaction of a judgment debt	£15

1.4 Determination of Costs

On filing a request for a detailed assessment where the amount of the costs claimed:	(a) does not exceed £15,000	£300
	(b) exceeds £15,000 but does not exceed £50,000	£500
	(c) exceeds £50,000 but does not exceed £200,000	£600
	(d) exceeds £200,000 but does not exceed £500,000	£1,500
	(e) exceeds £500,000	£3,000
On a request for the issue of a default costs certificate		£50
On an application to set aside a default costs certificate		£100
On commencing an appeal against a decision made in detailed assessment proceedings		£150

1.5 Enforcement Proceedings

On sealing a writ of execution, possession, delivery or writ of Fife	£50
On an application to vary a judgment, suspend enforcement or suspend a warrant of possession	£50
On an application for an order requiring a judgment debtor or other person to attend court to provide information in connection with enforcement of a judgment or order	£50
On a request for service by bailiff of an order to attend	£100

court for questioning	
On an application for a third party debt order	£100
On an application for a judgment summons	£100
On a request or application to register a judgment or order, or for leave to enforce an arbitration award, or for a certified copy of a judgment or order for use abroad	£50

## **2. ADMIRALTY**

To issue the Claim Form	The fee payable on starting ordinary civil proceedings
On an application on notice	£150
On an application by consent or an application to be dealt with without a hearing	£50
On the filing of a request for a warrant of arrest	£50
To request service by the Marshal of the Claim Form (as part of the arrest)	£100
To request the arrest of a vessel by the Marshal	£100
To request service by the Marshal (other than on effecting arrest)	£150
On filing a praecipe for release	£20
On filing of a Caution	£40

## **3. COMPANIES JURISDICTION AND INSOLVENCY**

On an application for the appointment of a liquidator by the court	£200
On an application for a bankruptcy order: i. if made by a debtor or by the personal representative of a deceased debtor	£150

GIBRALTAR GAZETTE, No 4161, Thursday 2 April, 2015

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ii. If made by a creditor or other person	£200
On making any other originating application under the Companies Act or Insolvency Act	£180
On the hearing of an examination of a bankrupt	£50
On an application on notice within existing proceedings where no other fee is specified	£150
On an application by consent or an application to be dealt with without a hearing where no other fee is specified	£50

**4. DIVORCE, DISSOLUTION AND MATRIMONIAL JURISDICTION**

On filing a petition (including cross-petition)	£250
On filing any other originating application in the Divorce, Dissolution or Matrimonial jurisdiction or under the Children Act	£150
On applying for an injunction	£50
On any other application in existing Divorce, Dissolution or Matrimonial jurisdiction proceedings or under the Children Act	£50

**5. PROBATE**

On an application	(a) does not exceed £20,000	No fee
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for a grant or for resealing a grant, on the net value of the estate, where the value:	(b)	exceeds £20,000 but does not exceed £25,000	£40
	(c)	exceeds £25,000 but does not exceed £40,000	£80
	(d)	exceeds £40,000 but does not exceed £70,000	£150
	(e)	exceeds £70,000 but does not exceed £100,000	£215
	(f)	exceeds £100,000 but does not exceed £200,000	£300
	(g)	exceeds £200,000	£300 plus £100 for every additional £100,000, or part thereof, exceeding £200,000
	On the filing of a caveat		
To request the settling of a draft document, per document			£100
On depositing a will for safe custody in the Registry			£250
On an application for:	a grant limited to settled land		£50
	grant limited to trust property		£50
	a duplicate grant		£50
	a second or subsequent grant		£50

#### **6. APPEALS TO THE SUPREME COURT**

Where no other fee is specified, on filing a notice of appeal (including an appeal against an allocation decision), or a case stated or a special case for the opinion of the Supreme Court pursuant to statute, or a notice of cross appeal, or a respondent's notice of appeal	£200
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#### **7. COURT OF PROTECTION**



On the filing of an application	£400
If hearing is required, an additional	£100
On the filing of accounts by receivers	On income of up to £20,000 per annum, a fee of £100. An additional £10 will be payable for every additional £10,000 of income per annum

**8. MISCELLANEOUS FEES**

8.1	<u>Swearing Affidavits at the Registry</u>	
	On taking an affidavit or an affirmation or attestation upon honour in lieu of an affidavit or a declaration - for each person making any of the above	£5
	For each exhibit referred to in an affidavit, affirmation, attestation or declaration	£2
8.2	<u>Enrolment of Deed Evidencing Change of Name</u>	
	(a) for a document not exceeding 15 pages in length	£20
	(b) exceeding 15 pages and not exceeding 40 pages in length	£40
	(c) exceeding 40 pages in length	£60
8.3	<u>Miscellaneous Services</u>	
	For a transcript of proceedings:	
	(a) each A4 page or part of a page	£5
	(b) for additional copies per page	£0.25
	For an audio copy of a recording of proceedings when approved by a Judge	£50
	For a photographic copy of any document or part thereof:	
	(a) each A4 page	£0.25

(b)	each A3 page	£0.50
	For examining a plain copy and marking it as an office copy, for each sheet	£0.50
	For certifying a copy to be a true copy of the original, under the seal of the court for each document	£4 and 50p per page
	Search Fees - per every 15 minutes or part thereof	£10
8.4	<u>Lawyers</u>	
	On presenting a petition for approval and admission as a barrister or solicitor	£200
	On an application for the waiving of rules 4(2) & 5(1) of the Barristers & Solicitors Rules	£150
	On an application for registration as a European Lawyer	£200
8.5	<u>Other</u>	
	On filing any document under the Bills of Sale Act	£50

**9. FEES NOT PROVIDED FOR**

For any other matter not prescribed above in respect of which any rules of court provide that a fee is payable	£200 or such lower amount as the Registrar may in his discretion determine
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Dated 2nd April, 2015.

A E DUDLEY,  
Chief Justice.

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**EXPLANATORY MEMORANDUM**

These Rules provide for new Court Fees by substituting rule 49 and Schedule 6 of the Supreme Court Rules 2000.

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