

BELIZE:

STATUTORY INSTRUMENT

NO. 32 of 2021

**SUPREME COURT OF JUDICATURE (SUPREME COURT)
(AMENDMENT) RULES, 2021**

ARRANGEMENT OF RULES

1. Citation.
2. Repeal and replacement of Part A of Appendix M.
3. Negative resolution.

BELIZE:

STATUTORY INSTRUMENT

No. 32 of 2021

RULES made by the Chief Justice, with the concurrence of the other judges, in exercise of the powers conferred upon her by sections 95 and 165 (1)(c) of the Supreme Court of Judicature Act, Chapter 91 of the Substantive Laws of Belize, Revised Edition 2011, and all other powers thereunto her enabling.

(Gazetted March 31st, 2021).

1. These Rules may be cited as the

Citation.

SUPREME COURT OF JUDICATURE (SUPREME COURT) (AMENDMENT) RULES, 2021,

and shall be read and construed as one with the Supreme Court of Judicature (Supreme Court) Rules, 1973, which as amended, are hereinafter referred to as the principal Rules.

Sub. Leg. 1991 Edn. VOL. III p.29. S.I. 59 of 1993.

2. Part A of Appendix M of the principal Rules are repealed and replaced with the following-

Repeal and replacement of Part A of Appendix M.

“PART A – COURT FEES

(1) Civil Side (Ordinary Jurisdiction)

Advertisements

§

1. For preparing or setting any advertisement or notice for publication

20.00

2. For causing an advertisement or notice to be printed in addition to the actual cost of printing

10.00

Attendance

3. For any officer to attend as a witness or to produce records or documents to be given in evidence (in addition to any reasonable expenses of the officer) or each day or part of a day 20.00
4. For the Registrar or other officer attending in Court, at the hearing of any action, motion, petition, matter or other proceeding in Court, for each day or part of a day 25.00
5. For the Registrar or other officer attending at Judge's Chambers to take depositions or to note proceedings for each day as part of a day 20.00

Certificates

6. For the certificate unless otherwise provided for 10.00
7. For certifying each page of a document whether in electronic format or otherwise 5.00
8. For any certificate signed by the Registrar and sealed 25.00

Copies

9. For electronic copies of any document per page 3.00
10. For hard copies of any document, per page 5.00
11. For a copy of a plan, map, section, drawing, photograph or diagram, the cost per page 5.00
12. For an office copy of appellate proceedings from the Supreme Court, per page 3.00

Examinations

13. For an examination of witness by the Registrar or other officer of the Court in his office, per day or part thereof 20.00

- | | | |
|-----|---|-------|
| 14. | For examination of witnesses by any such officer away from his office (in addition to reasonable travelling and other expenses) per day or part thereof | 30.00 |
|-----|---|-------|

Filing

- | | | |
|----------------|--|--------|
| 15. | On filing a notice of acting for each person | 10.00 |
| 16. | On filing any statement of case— | |
| | (a) claim for a specific sum under 100,000.00 | 30.00 |
| | (b) claim for a specific sum in excess of 100,000 but not exceeding 500,000.00 | 50.00 |
| | (c) claim for a specific sum in excess of 500,000 but not exceeding 1,000,000.00 | 150.00 |
| | (d) claim for a specific sum in excess of 1,000,000.00 | 250.00 |
| | (e) any other Claim | 50.00 |
| 17. | On filing any amended statement of case | 30.00 |
| 18. | On filing any notice of application or amended notice of application | 25.00 |
| 19. | On filing any affidavits with or without exhibits | 15.00 |
| <i>Issuing</i> | | |
| 20. | On issuing a writ of habeas corpus ad subjiciendum | 20.00 |
| 21. | On issuing any writ of execution | 20.00 |
| 22. | On issuing any process or other document where no other provision is made | 20.00 |

Judgments and Orders

- | | | |
|-----|--|-------|
| 23. | On entering any judgement or order | 30.00 |
| 24. | On an order compelling the attendance of witness or of Commitment, or for payment by instalments | 30.00 |

Payment of Money into Court, etc.

- | | | |
|-----|---|-------|
| 25. | On payment of money into Court \$500 or under | 20.00 |
| 26. | Over \$500, \$2.00 additional on each \$100, or part thereof | |
| 27. | On taking money out of Court, the same fees as in the last two proceeding items | |

Sealing

- | | | |
|-----|-------------------------|-------|
| 28. | On sealing any document | 10.00 |
|-----|-------------------------|-------|

Searches and Inspections

- | | | |
|-----|--|-------|
| 29. | On application to inspect or search the file of proceedings in any action, cause, or matter by a person not a party thereto, including in person search and inspection of same | 10.00 |
| 30. | On the request of digital search request | 15.00 |
| 31. | For any report search by the Registrar | 20.00 |

Services and Execution of Process

- | | | |
|-----|--|--------|
| 32. | For Services of any writ, summons, order, notice, subpoena, or other documents, for each served | 10.00 |
| 33. | For execution of warrant or order of arrest on shore | 30.00 |
| 34. | For execution of warrant or order of arrest, on board ship, if in Belize Harbour plus cost and expense | 100.00 |

35.	For Execution of warrant or order of arrest, on board ship, beyond Belize Harbour plus cost and expense	100.00
36.	For execution of a writ of attachment, charging order, writ of possession or delivery, warrant or order of committal	25.00
37.	For execution of any writ, warrant, or order not otherwise provided for	25.00
38.	For making a return of service	20.00
39.	For making a return to each execution	20.00

Case Management

40.	On the case management or any further case management whether virtual or otherwise	50.00
41.	For hearing in Chambers <i>ex parte</i> whether virtual or otherwise	30.00
42.	For hearing in Chambers any other application whether virtual or otherwise	30.00

Taking Accounts and Inquiries

43.	On taking any account or inquiry by order of court, per hour or part of any hour	10.00
44.	On making a report, per page	3.00

Taxation of Costs

45.	On a bill of costs, including certificate—	
	(a) where total bill is under \$500.00	20.00
	(b) where total bill is \$500 to 100,000.00	50.00
	(c) where total bill is 1000,000.00 to 1,000,000.00	100.00

(d) where the total bill exceeds \$1,000,000.00 200.00

Miscellaneous

46. On applying for Decree Absolute including filing Affidavit in support 20.00
47. On taking a recognisance or bond or determining amount of sufficiency of security 20.00
48. On taking bail and taking same off the file and delivery 10.00
49. For any services rendered by the Registrar not herein provided for, such fee (if any) as the Chief Justice may determine
50. Poundage on net proceeds (after payments of all incidental expenses on levy and sale), on the first \$300, 5 per cent Above \$300, on each \$100 additional, 2 ½ per cent
51. When the service or execution of any process or the performance of any duty required of him by any party necessitates the attendance of the Registrar or other officer acting as Provost marshal, or his deputy, away from the court House, or the use of a boat or other conveyance, the party so requiring such attendance shall pay the reasonable expenses incurred for travelling or otherwise by such officer, or by reason of having to employ a deputy, and these shall be allowed on taxation of cost in addition to the above fees.

(2) Probate Side

Non- Contentious Business

52. On an application for probate or administration when the estate (without and deduction for debts is under \$1,000 in value, to include all costs of procuring probate or administration (subject to Section 32 of Chapter 160) 20.00

53.	In cases where the estate (without any deduction for debts) is of value of \$1,000 or upwards up \$100,000.00	20.00
54.	In cases where the estate (without any deduction of debts is of value of upwards of \$100,000.00 to \$500,000.00	50.00
55.	In cases where the estate (without any deduction of debts is of value of upwards of \$500,000.00 to \$1,000,000.00	150.00
56.	In cases where the estate (without any deduction of debts is of value of upwards of \$1,000,000.00	300.00
57.	On filing petition (including will or other exhibit and affidavit of verification)	20.00
58.	On swearing every witness	10.00
59.	On taking every affidavit, affirmation or declaration for each person making the same	10.00
60.	On filing any document not otherwise mentioned	10.00
61.	On every bond (including filing)	25.00
62.	On sealing probate or letters or administration—	
	(a) of \$1,000 - \$10,000	20.00
	(b) exceeding \$10,000 up to \$50,000	200.00
	(c) over \$50,000	300.00
	(d) over \$100.00 – 400.00	300.00
63.	On recording, per hour of recording	10.00
64.	On officer's attendance on Chief Justice to procure grant and noting same in minute book	10.00
65.	On every appraisalment (including swearing and filing)	10.00

Contentious Business

66. On filing a caveat	20.00
67. On sealing and issuing citation	30.00
68. On filing appearance or answer	10.00
69. On filing every application and order made after answer	20.00
70. In cases not herein provided for, the fees shall be same as in other civil proceedings in the Supreme Court	

NOTE.—No fee is payable by the applicant to the Government Printer for the insertion of the necessary notices of applications in the Gazette for grants of administration, in cases of estates under \$1,000 in value.”.

3. These Rules are subject to negative resolution and shall be laid before the National Assembly within ten days next after the rules are approved by the Minister or, if the National Assembly is not then sitting, at the first session following approval of the rules, in accordance with section 95(5) and (6) of the Act.

Negative
resolution.

MADE by the Chief Justice, with the concurrence of the other judges, this 30th day of March, 2021.


MICHELLE ARANA
Chief Justice

LAI D BEFORE AND APPROVED by the Attorney General this 30th day of March, 2021.


MAGALI MARIN YOUNG SC
Attorney-General