

S.I. 15 of 2014**COURTS ACT***(Cap 52)***Magistrates' Court (Fees and Costs in Civil Proceedings)
(Amendment) Rules, 2014**

In exercise of the powers conferred by section 44 of the Courts Act, the Chief Justice hereby makes the following rules, namely—

1. These rules may be cited as the Magistrates' Court (Fees and Costs in Civil Proceedings) (Amendment) Rules, 2014.

Citation

2. The Magistrates' Court (Fees and Costs in Civil Proceedings) Rules is hereby amended as follows—

Amendment of
S.I. 48 of 1960,
as last amended
by S.I. 10 of
2009

(a) by inserting after rule 4, the following rule, namely—

“4A.(1) A party entitled to claim advocacy fees under rule 4, in accordance with the scale set out in the Second Schedule, is also entitled to recover disbursements necessarily incurred in pursuing or defending the claim, and shall include those disbursements in a separate paragraph in the bill of costs.

(2) Every disbursement claim under subrule (1) shall be supported by a receipt or, if it is impracticable or inconvenient to obtain a receipt, by affidavit or other evidence sufficient to satisfy the clerk that the disbursement has been made.”;

(b) in the First Schedule —

(i) by repealing item 1 and substituting therefor the following item, namely —

“1. Entering plaint including issue and service of summons within two miles of the court house and incidental matters, where the value of the claim or demand —

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| (a) does not exceed R10,000 | 2% of the value, subject to minimum fee of R100 |
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| (b) exceeds R10,000 but does not exceed R50,000 | Additional 1% on surplus |
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| (c) exceeds R50,000 | Additional ½% on surplus”; |
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(ii) in item 21, by repealing the words and figures “Provided that, for service in Praslin or La Digue of a document issued in Mahe and vice versa, a fixed fee of R150 and R200 respectively will be payable” and substituting therefor the following, namely —

“Provided that, for service in Praslin or La Digue of a document issued in Mahe and *vice versa*, a fixed fee of R600 will be payable”.

MADE this 14th day of February, 2014.

**FREDRICK EGONDA-NTENDE
CHIEF JUSTICE**
