

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 91 OF 2021

The High Court Act
(Laws, Volume 3, Cap. 27)

**The High Court (Civil Jurisdiction) (Family Court Fees)
Regulations, 2021**

IN EXERCISE of the powers contained in section 43 of the High Court Act, the following Regulations are made:

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| 1. These Regulations may be cited as the High Court (Civil Jurisdiction) (Family Court Fees) Regulations, 2021. | Title |
| 2. The fees set out in the Schedule are payable for the matters specified therein. | Prescribed fees |
| 3. The fees set out in these Rules shall, to the extent of the inconsistency, prevail in the Family Court where there is an inconsistency between the fees set out in these Rules and the fees applicable to the General List. | Supremacy of Rules |

SCHEDULE
(Regulation 2)

PART I

GENERAL

<i>No.</i>	<i>Item</i>	<i>Fee Units</i>
1.	(a) On filing a writ of summons and accompanying documents	750
	(b) On filing an originating summons	556.67
2.	On sealing of concurrent or renewed writ of summons or concurrent originating summons	278.34
3.	On filing a minor amendment	83.34
4.	On filing (i) an affidavit of service; or (ii) a certificate of service	30 30
5.	On filing defence or an affidavit in opposition	300
6.	On filing a summons	100
7.	On filing of summons for restoration of a matter which has been struck out for non-attendance	500
8.	On filing an interlocutory notice of motion or application not specifically provided for	350
9.	On filing a skeleton argument	76.67
10.	On issuing a letter for examination of a witness	130
11.	On filing a notice of discoveries or interrogatories	278.34
12.	On examination of a witness before an officer of the court for half an hour or part thereof	278.34
13.	On application for copies of notes of the judge or court proceedings for use on appeal or any other purpose per page or part thereof	66.67
14.	On sealing a praecipe for a writ of subpoena for each witness	83.34
15.	On sealing a writ of subpoena for each witness	83.34
16.	On filing an affidavit	30
17.	(a) On personal general searches in the judgment register or in any other civil register for each name	66.67
	(b) On personal general searches in the judgment register (for unspecified number of names in any one calendar year)	2778.3
	(c) On a search for appearance or any other search (including inspection) not otherwise provided for	83.34
18.	On filing a certificate of urgency	166.67
19.	On sealing an order made in chambers	66.67

<i>No.</i>	<i>Item</i>	<i>Fee Units</i>
20.	On sealing or filing a writ of execution (including a warrant of attachment of property or earnings)	166.67
21.	On taking an account of monies received by a person liable to account for monies received, for every K5,000, or fraction thereof	66.67
22.	On certifying a document per page	83.34
23.	On commissioning an affidavit	83.34
24.	On filing a notice of taxation together with a bill of costs	166.67
25.	On filing a consent on agreed bill of costs	5% of the agreed cost
26.	On taxing fee on the bill of cost taxed	10% of the total sum allowed
27.	On filing bundles of documents together with the bill of costs	100
28.	On an application to register a judgment (including registration) where no fee is provided for by the Act providing for registration	278.34
29.	Notary Public per page	1000
30.	On filing an application not specifically provided for	300
31.	On filing consent not specifically provided for	278.34
32.	On filing an interlocutory application not specifically provided for	278.34
33.	On filing and sealing an Order of commitment	276.67
34.	On filing a notice of payment into or out of court	83.34
35.	On assisted drafting by Registrar	800

PART II

DIVORCE AND MATRIMONIAL CAUSES

<i>No.</i>	<i>Item</i>	<i>Fee Units</i>
1.	(a) On filing a Divorce petition (and the accompanying documents)	1223.33
	(b) On filing a petition or cross petition	1223.33
2.	On filing an acknowledgment of service	113.33
3.	On filing a notice of intention to defend	113.33
4.	On filing a notice to withdraw consent to a decree being granted	276.67

5.	On filing an answer or a reply to a petition	300
6.	On filing a request for direction for trial	166.67
7.	On filing a summons for leave to file pleadings after direction for trial have been given	100
8.	On filing a notice for the rescission of a decree before a decree is made absolute	300
9.	On filing a notice of making a decree nisi absolute	300
10.	On filing an affidavit accounting for a delay to make a decree absolute	300
11.	On filing a certificate of decree absolute	300
12.	On filing an application for an ancillary relief	566.67
13.	On filing an application for leave to issue Judgment Summons	278.343
14.	On filing a Judgment Summons	300

PART III

PROBATE AND LETTERS OF ADMINISTRATION

No.	Item	Fee Units
1.2.	On filing:	
	(a) a declaration of the deceased's estate	166.67
	(b) an oath of administration or executor	166.67
	(c) an administration bond	166.67
	(d) a citation	556.6
	(e) an appearance to the citation	200
	On sealing a grant of probate or letters of administration	166.67
3.	On processing probate or letters of administration	366.67
4.	On filing an opposition to an application for a grant	200
5.	On an application for resealing a grant of probate or letters of administration	1223.33
6.	On sealing any order made in chambers	83.34
7.	On filing a notice to withdraw application for grant	300
8.	On filing certificate or affidavit of service	60
9.	On sealing order granting leave for extension of time within which to register a grant at the Lands and Deeds Registry	83.34
10.	On filing a certificate of exhibit of publication or other document	66.67
11.	On filing any motion not specifically provided for	300
12.	On filing and preserving a Will	483.34

13.	On withdrawing a Will	300
14.	On filing a Power of Attorney	300
15.	Personal general search for inspection in the register for a name or case record	66.67
16.	On filing a Third Party Notice	84
17.	On an application to review a grant of representation for purposes of registration	280
18.	On filing a certificate of agency	140
19.	On personal search for unspecified numbers of times in the Registry in a calendar year	2778
20.	On filing a notice not specifically provided	300
21.	On filing a notice of taxation and bill of costs	100
22.	Taxation fee on profit cost allowed is 10% of the profit cost allowed	

PART IV

ADOPTIONS

<i>No.</i>	<i>Item</i>	<i>Fee Units</i>
1.	On filing a petition for adoption	556.6
2.	On filing an affidavit in support	30
3.	On filing a consent to adoption order	66.67
4.	On sealing order appointing a Guardian-ad-litem	66.67
5.	On sealing an interim order of adoption or any order made in chambers	66.67
6.	On filing any summons or notice for purposes of interlocutory application	100
7.	On filing any application not specifically provided for	100
8.	On commissioning an affidavit	83.34
9.	On certifying a document as a true copy of the original per page	83.34
10.	On sealing a praecipe for a writ of subpoena for each witness	66.67
11.	On sealing a writ of subpoena for each witness	83.34

PART V

AFFILIATION AND MAINTENANCE OF CHILDREN

<i>No.</i>	<i>Item</i>	<i>Fee Units</i>
1.	On filing a summons for affiliation of a child	556.67
2.	On commissioning an affidavit	83.34
3.	On certifying document as a true copy of original per page	83.34

4.	On filing summons for maintenance of a child	556.67
5.	On filing a complaint	83.34
6.	On filing summons for custody or access to a child	166.67
7.	On filing summons for registration of order from Subordinate Court or other courts for enforcement	166.67
8.	On filing summons for variation of order	100
9.	On filing any summons not specifically provided for	100
10.	On filing any order not specifically provided for	83.34
11.	On sealing any order made in chambers	83.34

PART VI

APEALS

<i>No.</i>	<i>Item</i>	<i>Fee Units</i>
1.	On filing application for leave to appeal	333.33
2.	On filing renewed application for leave to appeal to the Court	333.33
3.	On sealing order granting leave to appeal	166.67
4.	On filing record of appeal	333.33

LUSAKA
24th December, 2021
[J/53/17/12]

M. MALILA,
Chief Justice