
COURTS (FEES) RULES 2008

The Administrator makes the following Rules exercising his powers under section 41(e) of the Courts (Constitution and Jurisdiction) Ordinance 2007(a).

Citation and Commencement

1. These Rules may be cited as the Courts (Fees) Rules 2008 and come into force on the day on which they are published in the Gazette.

Fees to be taken

2. (1) Subject to rule 3—

- (a) the fees set out in column 2 of Schedule 1 to these Rules must be taken by a Court in respect of the items relating to civil proceedings described in column 1 in accordance with and subject to the directions specified in column 1, unless otherwise provided in any legislation;
- (b) the fees set out in column 2 of Schedule 2 to these Rules must be taken by a Court in respect of the items relating to criminal proceedings described in column 1 in accordance with and subject to the directions specified in column 1, unless otherwise provided in any legislation.

(2) The fees set out in column 2 of Schedule 3 to these Rules must be taken by a Court in respect of the items relating to administration of estates under the Administration of Estates Ordinance(b) described in column 1 in accordance with and subject to the directions specified in column 1, unless otherwise provided in any legislation.

(3) Unless the Court orders otherwise, the fees to be taken in proceedings under the Immovable Property (Tenure, Registration and Valuation) Ordinance(c) are the same as the fees to be taken in civil proceedings specified in paragraph (1)(a).

(4) Proceedings in respect of which a fee is payable under these Rules must not take place without payment of that fee unless the Court has the power to direct that those proceedings take place without payment of a fee and it has made a direction to that effect.

Circumstances in which fees are not payable

3. (1) The fees prescribed in rule 2(1) are not to be taken by any Court for an item in civil or criminal proceedings where—

- (a) the person who would otherwise be liable for the fee is the Crown;
- (b) the person who would otherwise be liable for the fee has been issued with a legal aid order or a civil legal aid order in respect of the proceedings to which the item relates; or
- (c) the item is a summons issued on the direction of the Court.

(2) For the purposes of this rule—

- (a) “the Crown” means Her Majesty in right of Her Government in the United Kingdom and in right of Her Administration in the Areas;
- (b) “civil legal aid order” means a legal aid certificate issued under section 3(4) of the Legal Aid Ordinance 2005(d); and
- (c) “legal aid order” means a legal aid order made under section 3(3) of the Criminal Legal Services Ordinance 2005(e).

Revocation

4. The Court Fees Order(f) is revoked.

Schedule 1

Civil Proceedings (Rule 2(1)(a))

Column 1	Column 2
Item	Fee €
1. For sealing any writ of summons in an action:-	
(a) if the amount claimed or the value of the matter in dispute exceeds €100 but does not exceed €500	17.00
(b) if the amount claimed or the value of the matter in dispute exceeds €500 but does not exceed €2,000	31.00
(c) if the amount claimed or the value of the matter in dispute exceeds €2,000 but does not exceed €10,000	48.00
(d) if the amount claimed or the value of the matter in dispute exceeds €10,000 but does not exceed €50,000	94.00
(e) if the amount claimed or the value of the matter in dispute exceeds €50,000 but does not exceed €100,000	154.00
(f) if the amount claimed or the value of the matter in dispute exceeds €100,000 but does not exceed €500,000	256.00
(g) if the amount claimed or the value of the matter in dispute exceeds €500,000 but does not exceed €2,000,000	342.00
(h) if the amount claimed or the value of the matter in dispute exceeds €2,000,000	427.00
If after the writ is sealed the amount claimed by the plaintiff is increased, the difference in Court fees between the original fee taken and the fee payable for sealing a writ for a claim of the higher amount are taken by the Court.	
If after commencing any counterclaim the value of the matter in dispute is increased, the difference in fees between the original fee taken from the plaintiff and the fee payable for sealing a writ for a claim of the higher amount are taken by the Court from the defendant (counterclaimant).	
2. For filing a petition in a matrimonial cause	60.00
3. Other fees in a matrimonial cause	100.00
4. For filing an election petition	60.00
5. For filing an originating summons or application for which no special fee is provided	21.00
6. For filing an application for maintenance	9.00
7. For filing an interlocutory application or taking out a summons in a pending cause or matter where the amount claimed or the value of the matter in dispute exceeds €100	9.00
8. For entering an appearance	5.00
9. For sealing any summons to any person to attend as a witness in any cause or matter where the amount claimed or the value of the matter in dispute exceeds €100	3.00
10. For entering a judgment or any order for which no special fee is provided	7.00
11. For entering a judgment or any order of the Senior Judge's Court	10.00
12. For filing a notice of appeal to the Senior Judge's Court:-	
(a) if the value of the matter in dispute does not exceed €2,000	34.00

(b) if the value of the matter in dispute exceeds €2,000 but not €10,000	51.00
(c) if the value of the matter in dispute exceeds €10,000 but not €50,000	103.00
(d) if the value of the matter in dispute exceeds €50,000 but not €100,000	154.00
(e) if the value of the matter in dispute exceeds €100,000 but not €500,000	256.00
(f) if the value of the matter in dispute exceeds €500,000 but not €2,000,000	342.00
(g) if the value of the matter in dispute exceeds €2,000,000	427.00
Note: Only one half of the Court fee prescribed above is charged for filing an appeal against an interim judgment.	
13. For an application to tax any bill of costs:-	
(a) for every €2 or part thereof claimed to be taxed	0.10
(b) for filing a notice of review of taxation	5.00
14. For sealing any writ of execution (unless otherwise provided):-	
(a) to recover any sum not exceeding €100 (where the claim was originally over €100)	3.00
(b) to recover any sum exceeding €100 but not exceeding €500	7.00
(c) to recover any sum exceeding €500 but not exceeding €2,000	14.00
(d) to recover any sum exceeding €2,000 but not exceeding €10,000	21.00
(e) to recover any sum exceeding €10,000 but not exceeding €50,000	51.00
(f) to recover any sum exceeding €50,000 but not exceeding €100,000	103.00
(g) to recover any sum exceeding €100,000 but not exceeding €500,000	137.00
(h) to recover any sum exceeding €500,000	171.00
Only one half of the Court fee prescribed above is charged for issuing a new writ of execution for recovery of any sum in the same action.	
15. For sealing a warrant of arrest or writ of sequestration	14.00
16. For sealing a writ of possession or writ of delivery:-	
(a) if the writ is not for the recovery of a sum of money	12.00
(b) if the writ is for the recovery of a sum of money as well as possession or delivery in addition to the Court fees provided under item 14 above	14.00
17. For providing an office copy of the file of proceedings or any part of that file or providing an office copy of any document recorded in the Court unless otherwise provided:-	
(a) if the copy does not exceed 200 words	1.00
(b) for every further 100 words or part thereof	0.50
No fee is charged for providing an electronic copy of a Court judgment if the applicant supplies the medium on which the electronic form is recorded or if the judgment is emailed to the applicant.	
18. Searches:-	
(a) for a search for appearance or an affidavit and inspecting the same	2.00
(b) for any other search, including inspection, for each hour or part of an hour occupied	3.00
(c) for a certificate under the Civil Procedure Rules, Order 63, Rule 8	3.00
19. For filing the award of an arbitrator	17.00
20. For swearing any affidavit in a Court case	3.00

21. For marking any affidavit	0.50
22. For the service of any document:-	
The distance from the Registry to place of service:-	
(a) up to 10 km	1.00
(b) between 10-20 km	1.25
(c) between 20-30 km	1.50
(d) between 30-50 km	2.00
(e) over 50 km	2.50
No fee is payable for the service of writs of summons, applications by motion, originating summons, applications for maintenance, interlocutory applications, summons in pending cases, applications after judgment, witnesses summons and notices of appeal.	
23. If in a civil matter relating to immovable property, water rights, easements, excessive damage or otherwise, the Court on the request of either party or of its own motion thinks fit to visit the locality so as to make an inspection with or without hearing evidence on the spot, there must, if the Court so orders, be paid into Court in advance by the party making the request, or by both parties in such proportion as the Court may order, such amount to be assessed by the Registrar, as the Court considers sufficient to defray the expense of transport and subsistence of the Court:	
Any unused balance of the amount referred to above is returned at the conclusion of the case (or earlier if the Court so directs) to the party or parties who paid it.	
24. The following fees are charged in actions involving claims not exceeding €100:-	
(a) if the amount claimed or the value of the matter in dispute does not exceed €10:	
(i) for issuing the writ of summons; and	2.00
(ii) for entering judgment;	2.00
(b) if the amount or value exceeds €10 but not €20:	
(i) for issuing the writ of summons; and	3.00
(ii) for entering judgment;	3.00
(c) if the amount or value exceeds €20 but not €50:	
(i) for issuing the writ of summons; and	5.00
(ii) for entering judgment;	3.00
(d) where the amount or value exceeds €50 but not €100	
(i) for issuing the writ of summons; and	3.00
(ii) for entering judgment;	7.00
25. Except where otherwise provided, the following fees are charged, in originating proceedings involving claims not exceeding €100 begun by summons and not by writ of summons.	
(a) For issuing those proceedings; and	5.00
(b) For issuing an order disposing of those proceedings on their merits.	5.00
26. In addition to the Court fees prescribed in items 24 and 25 above, the following fees are charged in the cases falling under them:-	
(a) a mileage fee for sealing a writ for sale of movable property;	1.00
(b) for issuing a warrant of arrest or writ of sequestration;	3.00

(c) for issuing a writ of possession or delivery if the writ is not for the recovery of any sum of money;	3.00
(d) for issuing a writ is for the recovery of a sum of money in addition to possession or delivery.	
(i) for issuing the writ of possession or delivery; and	3.00
(ii) a mileage fee	1.00
27. (a) For filing a notice of appeal in civil proceedings	15.00
(b) For serving any interested party in relation to an appeal	2.50
(c) In all other civil proceedings before the Senior Judges' Court the Court fees are the same as those payable in civil actions before the Resident Judge's Court on a scale which exceeds €100.00	

Schedule 2

CRIMINAL PROCEEDINGS (Rule 2(2)(b))

Column 1	Column 2
Item	Fee €
1. For issuing a summons to an accused person	5.00
2. For issuing a summons to any person to attend and give evidence or to produce any document	4.00
3. For providing copies of notes or of depositions, the fees chargeable must, unless the Court orders otherwise, be at the same rates as are payable for providing copies of the file or proceedings in a civil action.	
4. No service fees are payable for service as provided by Rule 9C of the Criminal Procedure Rules 1953 and 1954(g).	

Schedule 3

Administration of Estates (Rule 2(2))

Column 1	Column 2
Item	Fee €
1. For depositing the will	3.00
3. For filing request to open will deposited in testator's lifetime	2.00
4. For an application for an order granting administration or probate	6.00
5. (a) For swearing and filing an affidavit	2.00
(b) For each instrument attached to the affidavit	0.50
6. For filing an administration bond, irrespective of the amount	3.00
7. For entering a caveat	3.00
8. For withdrawing a caveat	3.00
9. For filing a renunciation of an executor	3.00
10. For issuing a certificate by the Probate Registrar under section 29 of the Administration of Estates Ordinance (in addition to the fee under item 22)	3.00
11. For granting probate or administration with or without the will annexed:	
(1) Movable property	
If the value of the movable property -	
(a) does not exceed €2,000	3.00
(b) exceeds €2,000, for each €2,000 or part thereof	3.00 up to 200 which is the maximum limit
Note: Movable property includes securities whose value is to be calculated in accordance with the value that they have on the day of the death of the deceased.	
(2) Immovable property.	51.00 (standard fee)
12. (1) If the value of the property does not exceed €100; and	3.00
(2) If the value of the property exceeds €100.00 but does not exceed €600.00	7.00
13. For any second or subsequent grant of administration in respect of the same deceased person, if the property:	
(a) does not exceed €2,000	5.00
(b) exceeds €2,000	10.00
14. For an application for a grant of administration pendente lite	5.00
15. For a grant of administration pendente lite where the net estate	
(a) does not exceed €2000	5.00
(b) exceeds €2000	10.00
16. For entering an order, or an order granting probate or administration	5.00
17. For filing a declaration accompanying the inventory	2.00

18. For filing an inventory	1.00
19. For filing declaration of renunciation of estate	3.00
20. For a warning to a caveat	2.00
21. For application for review of registrar's decision	5.00
22. For filing an application to Court not otherwise provided	5.00
23. For issuing a summons to a witness, providing copies of proceedings, for searching for and inspecting a will or other document on the record or for other proceedings not provided in this Schedule	Same court fees as in civil proceedings relating to claims of more than 100
24. Notwithstanding any provision in this Schedule, the only fee to be taken in any proceedings under section 49 of the Administration of Estates Ordinance are such fee, as a judge may, in each case direct. Where a share of the estates falls to an heir under a disability, the fee taken will not exceed 5% of the value of the movable property falling to that heir.	

Dated this 22nd day of May 2008.

By the Administrator's Command,

P. D. Draycott,

Chief Officer,
Sovereign Base Areas.

(SBA/AG/2/CT/135/5)

Notes

- (a) Ordinance 5/07.
- (b) Cap 189, Statute Laws of Cyprus revised edition 1959, as applied to and adapted in the Areas by the Sovereign Base Areas of Akrotiri and Dhekelia Order in Council 1960 (SI 1960/1369, United Kingdom) and the Laws (Adaptation and Interpretation) (Consolidation and Extension) Ordinance 1968 (5/68).
- (c) Cap 224, Statute Laws of Cyprus revised edition 1959, as applied to and adapted in the Areas by the Sovereign Base Areas of Akrotiri and Dhekelia Order in Council 1960 (SI 1960/1369, United Kingdom) and the Laws (Adaptation and Interpretation) (Consolidation and Extension) Ordinance 1968 (5/68).
- (d) Ordinance 18/05.
- (e) Ordinance 17/05.
- (f) Subsidiary Legislation of Cyprus revised edition volume 2, 1953, page 323, as applied to and adapted in the Areas by the Sovereign Base Areas of Akrotiri and Dhekelia Order in Council 1960 (SI 1960/1369, United Kingdom) and the Laws (Adaptation and Interpretation) (Consolidation and Extension) Ordinance 1968 (5/68).
- (g) Subsidiary Legislation of Cyprus revised edition volume 2, 1953, page 337, as applied to and adapted in the Areas by the Sovereign Base Areas of Akrotiri and Dhekelia Order in Council 1960 (SI 1960/1369, United Kingdom) and the Laws (Adaptation and Interpretation) (Consolidation and Extension) Ordinance 1968 (5/68).

