



EXTRAORDINARY
OFFICIAL GAZETTE
THE BAHAMAS
PUBLISHED BY AUTHORITY

NASSAU

20th February, 2023

**SUPREME COURT (CIVIL PROCEDURE FEES)
RULES, 2023**

Arrangement of Rules

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OFFICE OF THE JUDICIARY

S.I. No. 10 of 2023

**SUPREME COURT ACT
(CHAPTER 53)**

**SUPREME COURT (CIVIL PROCEDURE FEES)
RULES, 2023**

The Rules Committee, in exercise of the power conferred by section 76 of the Supreme Court Act (*Ch. 53*), makes the following rules —

1. Citation and commencement.

- (1) These Rules may be cited as the Supreme Court (Civil Procedure Fees) Rules, 2023.
- (2) These Rules shall come into operation on the 1st day of March, 2023.

2. Fees of Court.

- (1) The fees set forth in Part A of the *Schedule* shall be the fees of the Court to be payable at the commencement of any cause, matter or proceeding brought under the Divisions of Court.
- (2) Any person desirous of making an application to the Court as an indigent person, may request a waiver of fees provided that —
 - (a) the person has a reasonable cause of action or defence; and
 - (b) the person makes an oath in the form set out in Part B of the *Schedule*, attesting that the person is unable to pay the fees for the requisite application made to the Court.
- (3) No fees shall be payable by the Crown, the Attorney-General, the Director of Public Prosecutions, the Office of the Public Defender or the Commissioner of Police.

SCHEDULE

PART A

(rule 2(1))

CATEGORY	FEE
1. GENERAL CIVIL MATTERS	
(a) Except for paragraph 6 hereof, any originating process (whether by Claim Form, Fixed Date Claim Form or Originating Application)	
Where the amount claimed or the value of the property in dispute is between \$50,000.00 and under	\$150.00
Where the amount claimed or the value of the property in dispute is between \$50,001.00 and \$100,000.00	\$300.00
Where the amount claimed or the value of the property in dispute is between \$100,001.00 and \$500,000.00	\$500.00
Where the amount claimed or the value of the property in dispute is between \$500,001.00 and \$1,000,000.00	\$750.00
Where the amount claimed or the value of the property in dispute is in excess of \$1,000,000.00	\$1,000.00
All other claims	\$ 300.00
(b) Counter-Claim	(Same as paragraph 1(a) above)
2. COMMERCIAL DIVISION	
(a) Fees payable in Admiralty Matters	
On the commencement of an action (Same as paragraph 1(a) above)	
On the filing of an application for the arrest of a ship on the gross proceeds of any ship or goods sold by order of the Court	
If not exceeding \$10,000.00	\$300.00
For every additional \$1,000.00 or part thereof	\$ 30.00
(b) Matters under the Companies Act (<i>Ch. 308</i>) and the International Business Companies Act (<i>Ch. 309</i>)	\$200.00
3. FAMILY DIVISION	
Adoption Matters	\$100.00

4. COMMON LAW AND EQUITY DIVISION	
(a) Quieting of Title	
Petition/Adverse Claims where size of land is up to 10 acres	\$300.00
Petition/Adverse Claims where size of land is 10.1 to 50 acres	\$500.00
Petition/Adverse Claims where size of land is in excess of 50 acres	\$1,000.00
(b) Petition of Call to the Bar	\$50.00
5. CRIMINAL DIVISION	
Bail Applications	\$100.00
6. PROBATE DIVISION	
Probate Matters	
Where the assessed value of the estate is \$50,000.00 and under	(No Fee)
Where the assessed value of the estate exceeds \$50,000.00 but does not exceed \$100,000.00	\$100.00
Where the assessed value of the estate is \$100,000.00 but does not exceed \$300,000.00	\$200.00
Where the assessed value of the estate exceeds \$300,000.00 but does not exceed \$600,000.00	\$400.00
Where the assessed value of the estate exceeds \$600,000.00	\$800.00
Lodging of a Caveat against a Certificate as to the Grant of Probate, Letters of Administration or Letters of Administration with the Will annexed	\$ 50.00
7. APPEALS DIVISION	
Notice of Appeal to a Judge in Chambers	\$150.00
8. COPIES AND TRANSCRIPTS	
(a) Copies and transcripts	\$0.50 per page
(b) Transcripts	\$25.00 for the first 50 pages thereafter \$0.50 per page
(c) Certified copies of Orders, Judgments, Certificates, etcetera	\$20.00 plus \$0.50 per page.

PART B

(rule 2)

APPLICATION OF AN INDIGENT PERSON FOR A WAIVER OF FEES

COMMONWEALTH OF THE BAHAMAS

IN THE SUPREME COURT

I, the undersigned, of

Name

Address

with the understanding that I am subject to criminal penalty for an intentionally false declaration, declare that I am an indigent person who is not able to pay the fee of \$..... payable at the commencement of any cause, matter or proceeding brought under the Divisions of the Court.

I further declare that the reason/s for non-payment is/are as follows —

.....
.....

I further declare that a copy of the writ and affidavit are to be used in support of the application that is attached hereto.

Date the day of, 20.....

Signature

SWORN TO at Nassau,)
New Providence, The Bahamas)
this day of , A. D., 20....)

Before me,

NOTARY PUBLIC

Dated this 17th day of February, 2023.

**Signed
IAN WINDER
Chairman
Rules Committee**