**MONTSERRAT**

**STATUTORY RULES AND ORDERS**

**S.R.O. 6 OF 2013**

**MAGISTRATE’S COURT ORDER**

**ARRANGEMENT OF ORDER**

[1. Citation and commencement 2](#_Toc345505623)

[2. Schedule 1 replaced 2](#_Toc345505624)

MONTSERRAT

**STATUTORY RULES AND ORDERS**

**S.R.O. 6 OF 2013**

**MAGISTRATE’S COURT ORDER**

**THE MAGISTRATE’S COURT ORDER, 2013 MADE BY THE GOVERNOR ACTING ON THE ADVICE OF CABINET UNDER SECTION 151 OF THE MAGISTRATE’S COURT ACT (CAP. 02.02)****.**

1. Citation and commencement

This Order may be cited as the Magistrate’s Court Order 2013 and comes into force on the 1st April, 2013.

2. Schedule 1 replaced

Schedule 1 of the Magistrate’s Court Act is replaced with the following—

**“Schedule 1**

**(Sections 101, 149, 151)**

|  |  |  |
| --- | --- | --- |
|  | **FEES** |  |
|  | COURT FEES |  |
| 1. | Entering a suit, including summons and copy for service and judgment | $75.00 |
| 2. | Hearing fee. | $20.00 |
| 3. | Court Interpreters’ fee. | $50.00 |
| 4. | Summons to witness and copy for service | $30.00 |
| 5. | Execution *(Fifa)*. | $50.00 |
| 6. | Warrant of distress or of possession or execution under the Small Tenements Act | $75.00 |
| 7. | Order of Attachment of moneys or Garnishee summons | $75.00 |
| 8. | Any other summons including copy for service and Order thereon | $50.00 |
| 9 | Order for new trial | $75.00 |
| 10. | Affidavit, each oath. | $25.00 |
| 11. | Appointment of estimators, under Small Tenements Act | $30.00 |
|  | OTHER FEES |  |
| 1. | For entering an information or a complaint | $50.00 |
| 2. | For every summons to a defendant.. | $25.00 |
| 3. | For every summons to a witness.. | $25.00 |
| 4. | For every warrant of arrest | $50.00 |
| 5. | For every search warrant | $75.00 |
| 6. | For every warrant of distress | $75.00 |
| 7. | For every other document. | $30.00 |
|  | **BAILIFF FEES** |  |
| 1. | Service of summons, notice or other document required to be served | $15.00 |
| 2. | Arrest under order of committal on judgment summons, and taking person arrested to prison. | $100.00 |
| 3. | Seizure of property under Attachment, Possession or Execution | $100.00 |
| 4. | Taking Security or Bail and enquiry into sufficiency thereof | $60.00 |
| 5. | Levy fee — 5% on net proceeds of sale” |  |

Made by the Governor acting on the advice of Cabinet this 31st day of January, 2013.

(Sgd.) Angela Greenaway

**CABINET SECRETARY**

Published by exhibition by the Cabinet Secretary at the Office of the Legislature, Farara Plaza, Brades, this 5th day of February, 2013.

(Sgd.) Angela Greenaway

**CABINET SECRETARY**