

CHAPTER 115

THE COURTS OF JUSTICE FEES ACT

Arrangement of Sections

Section

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COURTS OF JUSTICE FEES

(29th July, 1880.)

1611980.

S.R.O. 2211956.

1811989.

1. This Act may be cited as the Courts of Justice Fees Act. **Short title.**

2. The Cabinet may, by order, fix the fees and percentages (including the percentage on estates of persons of unsound mind) to be taken in any court, or in any Court created by any Commission, or in any office which is connected with any of those Courts, or in which any business **Fixing fees payable in Courts of Justice, &c.**

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connected with any of those Courts is conducted, or by any officer, paid wholly or partly out of public moneys, who is attached to any of those Courts, or to the office of Registrar of Deeds, and may by order, increase, reduce, or abolish all or any of such fees and percentages, and appoint new fees and percentages to be taken in the said Courts or offices, or any of them, or by any such officer as aforesaid.

Order to be binding on all Courts, &c.

3. Any order made in pursuance of this Act shall be binding on all Courts, offices, and officers to which it refers, in the same manner as if it had been enacted by Parliament.

Payment into the Treasury.

4. All such fees and percentages shall be paid into the Treasury.

Fees to be taken in stamps. Schedule.

5. It shall be lawful for the Cabinet, by notice, in the form given in the Schedule, to declare and direct that, from and after the time specified in such notice, all and any of such fees for the time being payable in money shall be taken by means of stamps; and, from and after the time specified in any such notice, the fees therein mentioned shall be received by stamps denoting the amounts payable, and not in money.

Stamps to be impressed or adhesive.

6. Such stamps shall be impressed, or adhesive, and shall only be distributed by the Accountant-General and such other Government officers as the Cabinet may direct.

Rules.

7. The Cabinet may make rules for publishing the amount of the fees and regulating the use of such stamps, and particularly for prescribing the application thereof to documents in use or required to be used for the purposes of such stamps, and for insuring the proper cancellation of stamps, and for keeping accounts of such stamps and for the allowancing for spoiled or misused stamps.

Unstamped documents not evidence.

8. Any document which ought to bear a stamp in pursuance of this Act, or any rule or order made thereunder, shall not be received, filed, used, or admissible in evidence, except in criminal trials or inquiries, unless and until it is properly stamped within the time prescribed by the rules under this Act regulating the use of stamps, but if any such document is, through mistake or inadvertence, received, filed,

or used without being properly stamped, the Court may, if it thinks fit, order that the same be stamped on the payment of a penalty, or otherwise, as in such order may be directed.

9. An account of all money received in respect of stamps under this Act shall be kept in the Treasury. **Accounts of stamps.**

10. Any person who forges any such stamp shall be liable to be imprisoned, with or without hard labour, for any term not exceeding seven years. **Penalty for forgery.**

11. An order under this Act may abolish any existing fees and percentages which may be taken in the said Courts or offices, or any of them, or by the said officers, or any of them; but, subject to the provisions of any order made in pursuance of this Act, the existing fees and percentages shall continue to be taken, applied, and accounted for in the existing manner. **Order may abolish existing fees.**

SCHEDULE

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NOTICE UNDER THE COURTS OF JUSTICE FEES ACT

The Cabinet in pursuance of the provisions of this Act, hereby declares and directs that, from and after the day of _____, the fees for the time being, payable *(here insert the nature of the fees)* shall be taken in stamps.
