

# **FEES**

*Rule 90.04, Supreme Court Rules – Admiralty (Supplementary) Rules*

## **SCHEDULE**

<b>MATTERS FOR WHICH FEES PAYABLE</b>	<b>FEES</b> <b>\$</b>
1. Receiving and entering a writ, warrant release, decree, order, caveat, commission or other instrument under the seal of the court	15.00
2. For service of a writ, but subject to item 5	15.00
3. For execution of a warrant for the arrest of a ship or seizure of cargo or other goods, but subject to item 5	30.00
4. For execution of a writ of attachment – for each person	30.00
5. Where a writ is served at the same time as a warrant of arrest is executed – instead of fees under items 2 and 3	40.00
6. For release of a ship, goods or person from seizure or Arrest	15.00
7. For execution of a commission of appraisement and sale or appraisement/sale, but subject to item 8	30.00
8. Where execution of a commission of appraisement is ordered and the court then orders that there be a commission for sale – instead of the fee under item 7	60.00
9. For arranging the appointment of the commission of an auctioneer or agent for sale by public auction or private contract (to include an inventory, valuation and compiling a certificate of appraisement and preparing for sale	25.00
10. For execution of a decree, order, commission or instrument other than one specified in this schedule	30.00
11. For delivery of a ship or goods to a purchaser	30.00
12. For attending the discharge of cargo or removal of a ship or goods – per day	30.00
13. Where process must be executed urgently resulting in office being open after hours – for each hour office is open after hours	50.00
14. On the gross proceeds of any ship or goods sold - for every \$200.00 or part of \$200.00 up to \$20,000.00	6.00

for each additional \$200.00 or part of \$200.00	3.00
15. For retaining possession of a ship ( <i>with or without cargo</i> ) or of a ship's cargo – per day	15.00

**Note**

- (1) No fee is payable for the custody and possession of property seized if it consists of money in an ADI, or goods stored in a bonded warehouse, or if it is in the custody of a customs house officer or other authorized person.
- (2) In addition to the fees specified in this Schedule, the Marshall may recover all expenses reasonably incurred in the execution of the duties referred to in this Schedule, including –
  - (a) sums expended in attending the discharge of a ship or goods;
  - (b) sums paid to a shipkeeper;
  - (c) sums paid for the safe custody of property;
  - (d) travelling expenses;
  - (e) necessary meals;
  - (f) overtime penalties;
  - (g) sums paid to engage assistants, agents, etc;
  - (h) postage, telephone calls, stationery;
  - (i) fees paid to auctioneers or appraisers (*at the nominated prescribed fee*);
  - (j) such fee (*if any*) as the Registrar may determine is payable for any procedure or service not specified in this Schedule.
- (3) A deposit on account of fees applicable to any proceeding may be required before the proceeding is commenced, or at any time during the course of the proceeding and a memorandum of the amount deposited must be delivered to the party making the deposit. An undertaking in writing to pay any further fees or expenses incurred by the Marshall which may become payable beyond the amount deposited may be required.

(See Practice Direction No 3 of 1999 “Insurance of property arrested under the Admiralty Act”)