

CAYMAN ISLANDS



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COURT FEES (AMENDMENT) (NO. 3) RULES, 2013

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These Rules are made by the Grand Court Rules Committee (with the approval of Cabinet) pursuant to Section 19(3)(c) of the Grand Court Law (2008 Revision)

1. Citation, Commencement and Interpretation

- (1) These Rules shall be cited as the Court Fees (Amendment) (No. 3) Rules 2013.
- (2) These Rules shall come in operation with retroactive effect from the 1st day of January 2014, referred to as the "Commencement Date".
- (3) These Rules shall apply to every taxation whether directed before or after the Commencement Date.
- (4) Words and expressions used in these Rules which are also used in the Court Fees Rules 2009 (referred to as "the principal rules") shall have the same meaning in these Rules as in the principal rules.

2. Amendment of Rule 3

The principal rules shall be amended by revoking Rule 3(10) and replacing it as follows –

- (10) (a) The fee prescribed in paragraph 5(1) of Part C of the First Schedule shall be payable by any person lodging an application for taxation of any order for costs made by the Court other than in respect of a case in which the Court has made a direction in accordance with Rule 3(10)(b) below.
- (b) Where the Court directs that the taxation shall be undertaken by a taxing officer other than the Clerk of Court, the fee prescribed in paragraph 5(2) of Part C of the First Schedule shall be payable by any person lodging an application for taxation of any order for costs made by the Court. This fee will be an allowable expense for the purposes of the taxation.

3. Amendment of paragraph 5 of Part C of the First Schedule

The principal rules shall be amended by revoking paragraph 5 of Part C of the First Schedule and replacing it as follows –

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| (1) | Upon lodging an application for taxation or applying for a costs certificate in any division of the Court or the Court of Appeal in which the proceeding is pending to which paragraph 5(2) below does not apply. | \$200 |
| (2) (a) Upon lodging an application for taxation or applying for a certificate of costs in any division of the Court or the Court of Appeal in which a direction is made by the Court in accordance with Rule 3(10)(b) where the total amount of the costs claimed: | | |
| (i) | exceeds \$10,000 but does not exceed \$50,000 | \$750 |
| (ii) | exceeds \$50,000 but does not exceed \$100,000; | \$1,500 |
| (iii) | exceeds \$100,000 but does not exceed \$250,000; | \$3,000 |
| (iv) | exceeds \$250,000 but does not exceed \$500,000; | \$4,500 |
| (v) | exceeds \$500,000 | \$6,000 |
| (b) | In respect of any day spent by the Taxing Officer in a taxation in excess of 3 days, an amount not less than \$750 per day and not exceeding \$1500 per day as directed by the Clerk of the Court on completion of the taxation. | |

Made by the Rules Committee on the 12th day of December 2013.

The Honourable Anthony Smellie QC, Chief Justice

The Honourable Sam Bulgin QC, Attorney General

Colin D. McKie QC, Legal Practitioner

Hector Robinson, Legal Practitioner