

L.N. 124 of 1996

**CODE OF ORGANIZATION AND CIVIL PROCEDURE
(CAP. 12)**

**Code of Organization and Civil Procedure (Schedule A)
(Amendment) (No. 2) Regulations, 1996**

IN exercise of the powers conferred by section 1004 of the Code of Organization and Civil Procedure, the Minister of Justice and the Arts, with the concurrence of the Minister of Finance, has made the following regulations:—

1. (1) These regulations may be cited as the Code of Organization and Civil Procedure (Schedule A) (Amendment) (No. 2) Regulations, 1996 and shall be read and construed as one with Schedule A annexed to the Code of Organization and Civil Procedure, hereinafter referred to as “Schedule A”. Citation and commencement.

(2) These regulations shall come into force on the 1st July, 1996.

2. Tariff A of Schedule A shall be amended as follows: Amends Tariff A of Schedule A.

(a) for paragraph 3 there shall be substituted the following new paragraph:

	Lm c m
“3. For every copy:	
(i) non-authenticated photocopies, for each page.....	0.05,0
(ii) other copies, for each page ...	0.25.0”;

(b) for the words “an amount equivalent to fifty per centum (50%) of such fee;” in paragraph 8 (1)(a) there shall be substituted the words “the whole amount of such fee;”; and

(c) immediately after paragraph 24 there shall be added the following new paragraphs:

	Lm c m
“25. Translation fee for every 100 words or part thereof	0.20,0

26. Fee for the opening of the registry
outside the working hours of the registry:

	Lm c m
Registry fee	20.00,0
Registrar's fee	10.00,0.”.

Substitutes Tariffs
B, D and I
of Schedule A.

3. For Tariffs B, D and I of Schedule A there shall be substituted the tariffs appearing in the Schedule to these regulations:

SCHEDULE

(Regulation 3)

“TARIFF B

Fees payable in respect of Executive Acts

	Lm c m
1. For the publication of adverts in the Government Gazette:	
For every insertion	3.00,0
2. For the service of the auctioneer:	
the fee leviable in accordance with the Auctioneers Act is payable on adjudication.	
3. For transport expenses when the warrant or order is to be executed in the same Island in which it has been filed or made	1.00,0
Provided that in the case of a warrant or order where the persons upon whom notice is to be served are more than one, an additional fee of Lm1 per service shall be paid.	
4. For transport expenses when the warrant or order is to be executed in an Island different from that in which the warrant or order has been filed or made	2.00,0

Provided that in the case of a warrant or order where the persons upon whom notice is to be served are more than one, an additional fee of Lm2 per service shall be paid.

In addition to the fee established in this Tariff, there shall be paid the expense for the transport of the things seized and any other expense which may have been incurred in connection with the execution of any warrant or with any judicial sale by auction, according to the bill of the marshal.

The marshal may also demand a deposit sufficient to cover the above expenses before giving effect to any execution.

TARIFF D

**Fees payable in the Registry of the Court of Magistrates (Malta) and of the
Court of Magistrates (Gozo) in its Inferior Jurisdiction**

	Lm c m
1. For the filing of every notice	
(i) Where the amount of the claim does not exceed Lm100	10.00,0
(ii) Where the amount of the claim exceeds Lm100 but does not exceed Lm500	15.00,0
(iii) Where the amount of the claim exceeds Lm500	30.00,0
2. For every warrant of seizure, or ejection, or garnishee order, or prohibitory injunction, or counter-warrant	1.00,0
3. For the execution of any of the above warrants or order or counter-warrants	0.50,0
4. For every schedule or application:	
(i) Where the amount of the claim does not exceed Lm100	1.00,0
(ii) Where the amount of the claim exceeds Lm100 but does not exceed Lm500	5.00,0
(iii) Where the amount of the claim exceeds Lm500	10.00,0
5. For every other written pleading.....	1.00,0
6. For every copy:	
(i) non-authenticated photocopies, for each page...	0.05,0
(ii) other copies, for every 100 words.....	0.25,0
7. For each service	0.50,0
8. For expenses incurred in executing service, for each service	1.00,0
9. For the issue of a bill of costs, for each page	0.25,0
10. The same fees established in the preceding paragraphs of this Tariff respectively shall be paid on appeal.	
11. For the legalisation of a note of hypothec to be registered in the Public Registry	0.25,0
12. Translation fee for every 100 words or part thereof	0.20,0

Lm c m

13. Fee for the opening of the registry outside the working hours of the registry:

Registry fee	20.00,0
Registrar's fee	10.00,0.

TARIFF I

Fees payable to Stenographers employed in causes before the Courts and for electromagnetic recording of judicial proceedings

	Lm c m
1. Retaining fee for each stenographer for each sitting (morning and afternoon sessions are to be considered separately)	2.00,0
2. Transcription fee for every 100 words or part thereof	0.15,0
Fee in lieu of transcription	3.50,0
3. Recording and transcription fee payable once by each party in a cause, whether such party produces witnesses or not	10.00,0.".