VERŻJONI ELETTRONIKA

L.N. 58 of 2015

ADMINISTRATIVE JUSTICE ACT (CAP. 490)

Administrative Review Tribunal and Appeals Therefrom (Amendment) Regulations, 2015

BY VIRTUE of the powers granted by article 21 of the Administrative Justice Act, the Minister for Justice, Culture and Local Government, in consultation with the Minister for Finance, has made the following regulations:-

Citation and commencement.

1. (1) The title of these regulations is the Administrative Review Tribunal and Appeals Therefrom (Amendment) Regulations, 2015, and these regulations shall be read and construed as one with the Administrative Review Tribunal and Appeals Therefrom Regulations, hereinafter referred to as "the principal regulations".

S.L. 490.01

(2) These regulations shall be deemed to have come into force on 1st January, 2015.

Substitutes the Schedule to the principal regulations.

2. The Schedule to the principal regulations shall be substituted by the following:

"SCHEDULE

Tariff A - Fees payable in connection with proceedings before the Administrative Review Tribunal

1. For the filing of any application €40

2. For the filing of any reply €25

The fees established in paragraphs 1 and 2 of this Tariff shall include the filing of all other acts of procedure and services (including but not limited to the filing of warrants for the examination of witnesses, the examination itself, recording fees, transcriptions and copies, the services of judicial assistants, decrees and declarations prior to definitive judgment, taxed bill of costs and copies of the judgment) required following the initiation of the case through the said act up to and including final judgment but excluding any fees due for the notification of acts or any fees which the Tribunal may be required to pay to third parties.

4. No fee shall be levied for the filing of any note of admission of a claim provided that the claim is admitted in full and unconditionally before any contestation thereon.

5. (1) For every notification of an act of procedure, including expenses incurred in the execution of such notification, the following fees shall be due:

(i) registry fee €6

(ii) fee due to the executive officer effecting the service €1.20:

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Provided that if service is to be effected outside normal working hours, the fees contained in this paragraph shall be increased by 100%.

(2) Notwithstanding anything contained in this Tariff, if the notification of any act is to be executed personally by an executive officer of the Tribunal, the following additional fees shall be due, for each notification:

(i) registry fee €6

(ii) fee due to the executive officer effecting the service ..... €1.20.

(3) The fees established in subparagraph (2) shall not apply when service is to be effected personally by an executive officer of the Tribunal in terms of any law, and in such cases the fees established in subparagraph (1) shall apply.

Tariff B - Fees payable in connection with proceedings before the Court of Appeal

1. For the filing of any application of appeal €80

2. For the filing of an answer to an application of appeal €50

3. The fees established in paragraphs 1 and 2 of this Tariff shall include the filing of all other acts of procedure and services (including but not limited to the filing of warrants for the examination of witnesses, the examination itself, recording fees, transcriptions and copies, the services of judicial assistants, decrees and declarations prior to definitive judgment, taxed bill of costs and copies of the judgment) required following the initiation of the cause through the said act up to and including final judgment but excluding any fees due for the notification of acts and any fees due to referees or experts appointed by the Court of Appeal or any fees which the Court of Appeal may be required to pay to third parties.

TARIFF C - Professional Fees

"1. A fee of €80 shall be taxed by the Secretary for professional services rendered before the Tribunal by any advocate or legal procurator assisting any of the parties where the amount in dispute does not exceed €600.

2. A fee in accordance with the Tariff for professional fees in cases appearing before the Court of Magistrates shall be taxed by the Registrar for professional services rendered before the Tribunal by any advocate or legal procurator assisting any of the parties where the amount in dispute exceeds €600.

3. A fee of €175 shall be taxed by the Registrar, Civil Courts and Tribunals, for professional services rendered before the Court of Appeal by any advocate or legal procurator assisting any of the parties:

Provided that fees for services not specifically provided for in this Tariff but provided for in other Tariffs contained in the Code of Organization and Civil Procedure shall be taxed according to those Tariffs.".

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