

**ARRANGEMENT OF SECTIONS**

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I assent,

S. W. TAPLEY SEATON

*Governor-General.*

20<sup>th</sup> September, 2019.

## SAINT CHRISTOPHER AND NEVIS

### No. 11 of 2019

AN ACT to provide for the fees to be paid in the Court and for related matters.

*[Published 20<sup>th</sup> September 2019, Extra-Ordinary Gazette No. 48 of 2019.]*

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the National Assembly of Saint Christopher and Nevis and by the authority of the same as follows:

#### 1. Short title and commencement.

(1) This Act may be cited as the Courts of Justice Fees Act, 2019.

(2) This Act shall come into force on a date to be fixed by the Attorney General by Order published in the *Official Gazette*.

#### 2. Fixing court fees.

The Chief Justice may make rules fixing the fees required to be paid

(a) in the High Court, the magistrate's court and in any other court established by the legislature for civil or criminal proceedings and in any court created .....  
by commission;

(b) in any Office which is connected with any of those Courts, or in which any business 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;

(c) to the Office of Registrar of Deeds.

#### 3. Payment of court filing fees.

(1) The payment of court filing fees and percentages, including payments for transcripts of court proceedings payable, may be paid and received by

- (a) credit card;
- (b) debit card;
- (c) cash; and
- (d) cheque.

(2) Where the payment methods under subsection (1) are not possible, the payment may be made in postage stamps denoting the amount payable.

(3) The method of payment of all fees and percentages payable may be paid and received in any other manner which the Chief Justice and 2 other judges may fix.

#### **4. Description of stamps.**

The stamps referred to in the preceding paragraph shall be adhesive or impressed stamps as authorised under the provisions of the Stamps Act, Cap. 20.40, and any number of separate fees may be expressed on a document by one or more stamps for the gross amount.

#### **5. Use of stamps.**

The stamp or stamps shall be affixed to the document in respect of which the fee is payable; provided that where any fee is payable in respect of any matter or thing in reference to which it shall not have been customary or may not be necessary to use any document or paper, the party or his or her solicitor requiring such matter or thing to be done shall make application for the same by a praecipe or short note in writing or print to or upon which the stamp or stamps shall be affixed, and all papers and documents when possible shall be stamped on the left hand upper corner of the front sheet.

#### **6. Stamps to be impressed or adhesive.**

(1) Such stamps shall be impressed, or adhesive, as authorised under the provisions of the Stamp Act and shall only be distributed by the Accountant General and such other Government officers as the Attorney General may direct.

(2) Any number of separate fees may be expressed on a document by one or more stamps for the gross amount.

#### **7. Documents to be stamped before signature.**

All documents must be fully stamped to the amount of the prescribed fees before being brought to the Officer of the Court responsible for the transaction involved, and such officer before signing the document shall satisfy himself or herself that the same has been correctly stamped.

#### **8. Unstamped documents not evidence.**

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 think fit, order that the same be stamped on the payment of a penalty, or otherwise, as in such Order may be directed.

#### **9. Cancellation of stamps.**

Before any stamped document passes out of the possession of the officer responsible for the transaction, the stamps on the document shall be effectively cancelled by the officer by means of a metallic date stamp and indelible ink.

#### **10. Custody of stamped documents.**

On the conclusion of the hearing of a case the stamped documents in connection therewith shall be retained in safe custody by the court office and shall not be delivered to any person save for official purposes.

#### **11. Rules.**

The Attorney General may make rules for regulating the use of stamps in accordance with this Act, 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.

#### **12. Accounts.**

(1) An account of all money received in respect of stamps under this Act shall be kept in the Treasury.

(2) As soon as possible after the end of each quarter the Registrar shall transmit to the Treasury a statement signed by him or her certifying the amount paid by means of stamps in respect of all proceedings filed in the High Court during the preceding quarter, and the same shall be duly entered in the appropriate account.

(3) As soon as possible after the end of each quarter the Chief Magistrate shall transmit to the Treasury a statement signed by him or her certifying the amount paid by means of stamps in respect of all proceedings filed in the Magistrates Court during the preceding quarter, and the same shall be duly entered in the appropriate account.

#### **13. Penalty for forgery.**

Any person who forges any such stamp shall be liable to be imprisoned, for any term not exceeding seven years.

**14. Repeal of Act.**

The Courts of Justice Fees Act, Cap 3.10, is hereby repealed.

ANTHONY MICHAEL PERKINS  
*Speaker*

.....  
Passed by the National Assembly this 20<sup>th</sup> day of September, 2019.

SONIA BODDIE-  
THOMPSON  
*Clerk of the National Assembly*