

No. 932

Hong Kong.

ORDINANCE No. 3 of 1873. (SUPREME COURT).

Rules made by the Chief Justice under section 32 of the Supreme Court Ordinance, 1873, Ordinance No. 3 of 1873.

1. These Rules may be cited as "The Supreme Court Fees Rules 1937." It shall come into force on the first day of January, 1937, and shall regulate the amount to be allowed by the Registrar on the taxation of all bills of costs in all causes or matters commenced on and after the said day in the Original Jurisdiction of the Supreme Court, where the claim, debt or damages sought to be recovered does not or do not exceed the sum of \$5,000 and in all actions for the recovery of the possession of any real or personal property where the value thereof (inclusive of any claim for damages or mesne profits) does not exceed that amount.

2. The following are the amounts which may be allowed by the Registrar :

<i>Counsels' Fees.</i>	<i>Brief.</i>	<i>Refresher.</i>
Where the claim, debt or damages sought to be recovered does not or do not exceed \$2000 or where possession is claimed of any real or personal property the value whereof (inclusive of any claim for damages or mesne profits) does not exceed that amount.	\$150.00	\$50.00
Where the claim, debt or damages sought to be recovered exceeds \$2000 but does not or do not exceed \$3000 or where possession is claimed of any real or personal property the value whereof (inclusive of any claim for damages or mesne profits) exceeds \$2000 but does not exceed \$3000.	\$200.00	\$65.00
Where the claim, debt or damages sought to be recovered exceeds \$3000 but does not or do not exceed \$4000 or where possession is claimed of any real or personal property the value whereof (inclusive of any claim for damages or mesne profits) exceeds \$3000 but does not exceed \$4000.	\$250.00	\$85.00
Where the claim, debt or damages sought to be recovered exceeds \$4000 but does not or do not exceed \$5000 or where possession is claimed of any real or personal property the value whereof (inclusive of any claim for damages or mesne profits) exceeds \$4000 but does not exceed \$5000.	\$300.00	\$100.00

A brief fee includes one conference, other conferences shall be allowed at \$15.00 each. Drawing or settling pleadings shall be allowed at \$25.00 each.

Solicitors' Fees.

Where the claim, debt or damages sought to be recovered does not or do not exceed \$3000 or where possession is claimed of any real or personal property the value whereof (inclusive of any claim for damages or mesne profits) does not exceed that amount.	One half of the costs usually allowed on taxation in Original Jurisdiction.
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Where the claim, debt or damages sought to be recovered exceeds \$3000 but does not or do not exceed \$5000 or where possession is claimed of any real or personal property the value whereof (inclusive of any claim for damages or mesne profits) exceeds \$3000 but does not exceed \$5000.	Two thirds of the costs usually allowed on taxation in Original Jurisdiction.
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3. In taxing a plaintiff's bill of costs the Registrar shall apply these Rules by having regard to the amount or value, as the case may be, actually recovered by such plaintiff; and in taxing a defendant's bill of costs the Registrar shall apply these Rules by having regard to the amount or value as the case may be, sought to be recovered by the Plaintiff from the defendant.

4. These Rules shall not apply to the taxation of any costs relating to an appeal from any judgment or order made in Original or Appellate Jurisdiction.

5. The Registrar shall have power to decide any question arising on taxation in connection with the applicability of these Rules: Provided that any party aggrieved by his decision may appeal therefrom by way of summary application to a Judge in Chambers.

Dated the 4th day of November, 1936.

A. D. A. MACGREGOR,
Chief Justice.

Approved by the Legislative Council this 24th day of November, 1936.

D. M. MACDOUGALL,
Deputy Clerk of Councils.