

SECOND SCHEDULE - continued

R.163 (1)

H.C.31.

NOTICE OF DISCONTINUANCE

(General title - Form 1)

TAKE notice that I shall not proceed further in this action (or matter), and that I hereby withdraw from the same (add, if so, as against the defendant.....).

Or, -

TAKE notice that I hereby withdraw so much of my claim in this action (or matter) as relates to /Specify the claim which is withdrawn, and in an action for recovery of land the definite part of the land mentioned in the statement of claim in respect of which the claim is withdrawn/ (and add, if so, as against the defendant.....).

.....
Plaintiff.

To the Registrar of the High Court at.....

and

To the Defendant.

Add., if applicable:-

I hereby consent to this action being discontinued by the plaintiff.

Dated at....., this..... day of....., 19....

.....
Defendant.

R.167 (2)

H.C.32.

REGISTRAR'S ORDER

Before the Registrar at in Chambers
day the day of 19

UPON reading /the writ of summons and statement of claim in the action and/ the application of the plaintiff (or as the case may be) dated the day of 19 , and the affidavit of A.B. filed herein /refer also to any other documentary evidence/ and it appearing that, etc./ and upon hearing the plaintiff /or Mr. of counsel (or Solicitor) on behalf of the plaintiff/ and the defendant /or Mr of counsel (or Solicitor) on behalf of the defendant/ consenting hereto /or as the case may be/

SECOND SCHEDULE - continued

Mr Registrar, acting under rules and of the Code of Civil Procedure, hereby orders that further orders that the defendant pay to the plaintiff the sum of \$, and disbursements for his costs of and incidental to the said application and this order (or as the case may be).

Seal of the Court.

Registrar.

R.171 (1)

H.C.33.

ORDER OF REFERENCE FOR INQUIRY AND REPORT

(General title - Form 1)

IT is ordered that these proceedings and all questions arising therein (or the following question arising in these proceedings [State the question] be referred to the Registrar of this Court (or to Mr of), for inquiry and report, pursuant to Rule the Code of Civil Procedure of the High Court.

[Add directions, if any, as to how reference is to be conducted.] And it is ordered that the Registrar (or referee) is to complete his inquiries and file his report and give notice to the parties by the day of, 19....., unless the time is further enlarged by the Court.

And it is further ordered that these proceedings stand adjourned for the consideration of the report until the . day of, 19....., at the hour of in the forenoon, or, if the time for filing the report is enlarged, to such later day as may hereafter be fixed.

Dated at....., this..... day of, 19.....

.....
Registrar

R.172

H.C.34.

NOTICE FOR APPOINTMENT FOR HOLDING INQUIRY

(General title - Form 1)

TAKE notice that all parties concerned are required to attend me at the High Court at..... (or at.....) on..... day, the day of, 19...., at the hour of in the noon, to proceed with the inquiry directed to be held herein

SECOND SCHEDULE - continued

by order dated the day of, 19.....

.....

Registrar
(Referee)

To all the parties.

R.179

H.C.35.

SUMMONS TO WITNESS

Plaint No.:

In the High Court

held at.....

Between

....., of, /Occupation/,
Plaintiff,

and

....., of, /Occupation/,
Defendant.

YOU are hereby summoned to appear before the High Court at.....
on....., the..... day of....., 19....., at.....
o'clock in the noon, there to give evidence as to the
matters in question in this action; and you are further required
to bring with you and produce to the Court the following documents,
namely:

Herein fail not at your peril.

.....

Registrar

/SEAL/

To.....

R.180 (1)

H.C.36

NOTICE TO ADMIT FACTS

(General title - Form 1)

TAKE notice that the plaintiff (defendant) in this action requires
the defendant (plaintiff) to admit, for the purposes of this action
only, the several facts respectively hereunder specified:.....

And the defendant (plaintiff) is hereby required, within three
days after receiving this notice, to admit the said several facts,
saving all just exceptions to their admissibility, as evidence in
this action.

SECOND SCHEDULE - continued

Dated at....., this day of, 19.....

.....
Plaintiff (Defendant).

To the Defendant (Plaintiff).

R.180 (2)

H.C.36.

ADMISSION OF FACTS PURSUANT TO NOTICE

(General title - Form 1)

THE defendant (or plaintiff) in this action, for the purposes of this action only, hereby admits the several facts hereunder specified, subject to the qualifications or limitations, if any, hereunder specified, saving all just exceptions to the admissibility of such facts, or any of them, as evidence in these proceedings.

Facts admitted	Qualifications or Limitations, if any, subject to which they are admitted
1.....	1.....
2.....	2.....
3.....	3.....

Dated at....., this..... day of....., 19.....

Defendant (Plaintiff).

R.181 (1)

H.C.37.

NOTICE TO INSPECT AND ADMIT DOCUMENTS

(General title - Form 1)

TAKE notice that the plaintiff (defendant) in this action proposes to adduce in evidence the several documents hereunder specified, and that the same may be inspected by the defendant (plaintiff) or his solicitor, at..... on day, the day of, 19...., between the hours of and; and the defendant (plaintiff) is hereby required, within three days after receipt of this notice, to admit, saving all just exceptions to the admissibility of all such documents, as evidence in this action, that such of the said documents as are specified to be originals were respectively written, signed, or executed as they purport respectively to have been, that such as are specified as copies are true copies, and that

SECOND SCHEDULE - continued

such documents as are stated to have been served, sent, or delivered were so served, sent, or delivered respectively.

Originals

Description of Document	Date

Copies of Documents

Description of Document	Date	When, how, and by whom Original or Duplicate served, sent, or delivered

Dated at....., this..... day of....., 19.....

.....
Plaintiff (Defendant)

To the Defendant (Plaintiff).

R.182

H.C.39

NOTICE TO PRODUCE DOCUMENTS AT HEARING

(General title - Form 1)

TAKE notice that you are hereby required to produce and show to the Court at the hearing of this action all books, papers, letters, copies of letters, and other writings and documents in your custody, possession, or power, containing any entry, memorandum, or minute relating to the matters in question in this action, and particularly /Specify documents required.7

Dated at....., this..... day of....., 19.....

.....
Plaintiff (Defendant)

To the Defendant (Plaintiff).

SECOND SCHEDULE - continued

R.184 (2)

H.C.40.

NOTICE OF DESIRE TO TAKE EVIDENCE OF WITNESSRESIDENT AT A DISTANCE FROM, OR UNABLE TO ATTEND AT,COURT OF HEARING

(General title - Form 1)

TAKE notice that I, the above-named defendant (plaintiff) desire to use at the hearing of this action the evidence of (myself and), of....., whose place of residence is more than twenty miles from the Court where the hearing of the action is appointed to be held,

(or who is about to go and remain until after the hearing of the action at a distance of more than twenty miles from the Court of hearing), (or who is (likely to be) unable to attend the hearing because of [State cause]), and I desire you to appoint a time and place for the examination of such witnesses.

Dated at....., this..... day of....., 19....

.....

Defendant (Plaintiff)

To the Registrar of the High Court at....., being the Court for examination.

I hereby appoint day the day of, 19....., at the hour of..... in the noon, and the High Court at....., as the time and place for taking the above examination.

Dated at....., this..... day of, 19....

.....

Examining Registrar

R.184 (4)

H.C.41.

NOTICE OF TIME AND PLACE FOR EXAMINATION

(General title - Form 1)

TAKE notice that the defendant (plaintiff) has given notice that he desires to have the examination of (himself and)..... of, and, of, taken at the High Court at.....

And take notice that,..... day, the..... day of....., 19...., at

SECOND SCHEDULE - continued

the hour of..... in the noon, has been appointed as the time, and the High Court at..... as the place, for taking such examination and that you may appear at the time and place aforesaid, by yourself or your solicitor or counsel or, with leave of the Court, your duly authorised agent and cross-examine the person or persons there examined.

Dated at....., this..... day of....., 19.....

.....
Registrar of the Court
of Hearing.

To the above-named.....

R.184 (15)

H.C.42.

EVIDENCE OF WITNESSES EXAMINED AT ANOTHER
COURT

(General title - Form 1)

EVIDENCE of witnesses taken at the High Court at..... (being the Court for examination), on day, the day of....., 19....., before the undersigned.

.....
Examining Registrar.

Mr appears for the plaintiff.

Mr appears for the defendant.

(NOTE - The depositions should be typewritten on separate sheets, which should be attached securely to this form. Commence the evidence of each witness with the words: "This deponent, on his oath says:". Each page must be signed by witness and the Examining Registrar.)

.....
Examining Registrar.

R.184 (15)

H.C.43.

[Sequel to H.C.42]

THE foregoing depositions of, written on sheets of paper, numbered consecutively from one to, and now fixed together and signed by me were taken and sworn before me in

SECOND SCHEDULE - continued

R.199

H.C.46.

NOTICE SETTING DOWN SPECIAL CASE

(General title - Form 1)

Please set down this special case for hearing.

.....
Plaintiff (Defendant).

To the Registrar of the High Court

R.209

H.C.47.

APPLICATION FOR NEW ORDER FOR PAYMENT

(General title - Form 1)

TAKE notice that the above-named plaintiff (defendant) will apply to the High Court at..... on day, the day of, 19....., at o'clock in the noon, for an order that the amount due and unpaid upon the judgment (or order) in this action be paid by instalments of \$..... for every (or that the amount due and unpaid under the judgment or order in this action be paid in one sum forthwith (or as the case may be).

Date of Judgment (or Order)	How Payment ordered	Amount of Debt and Costs	Amount Remaining Due
		\$. c.	\$. c.

Dated at....., this day of....., 19...

.....
Plaintiff (Defendant).

To the Registrar of the High Court at.....

and

To the Defendant (Plaintiff).

SECOND SCHEDULE - continued

	\$.	c.
Amount of judgment or order, including costs		
Subsequent costs		
Costs of this certificate		
Paid into Court		
Total sum now due		

(This certificate is issued under Rule 214, for
evidential purposes only.)

Given under my hand and seal of the Court, at.....,
this..... day of....., 19....

Registrar of the High Court at.....

R.217

H.C.50.

MEMORANDUM OF SATISFACTION

(General title - Form 1)

I HEREBY consent to the Registrar entering satisfaction of the
judgment herein obtained by me in the High Court at.....
on the day of, 19....

	\$.	c.
Amount of judgment		
Costs		
		

Dated at....., this day of....., 19....

.....
Plaintiff.

Witness to signature -

.....

Registrar

Justice of the Peace

Solicitor

R.218 (1)

SECOND SCHEDULE - continued

H.C.51.

NOTICE OF REINSTATEMENT

(General title - Form 1)

TAKE notice that this action was, on the day of 19....., struck out on account of the non-appearance of the plaintiff, but the Court has ordered the action to be reinstated, and to be heard at the High Court at..... on day, the day of, 19....., at the hour of in the forenoon.

Dated at....., this day of, 19.....

.....

Registrar.

To the Defendant.

R.219 (4)

H.C.52.

NOTICE OF NEW HEARING

(General title - Form 1)

TAKE notice that on the day of, 19....., judgment herein was given for the plaintiff, that on cause shown the Court has set aside the judgment, and that a new hearing of the action will be had at the High Court at..... on day, the day of, 19....., at the hour of in the forenoon.

Dated at....., this day of, 19.....

.....

Registrar.

To the Plaintiff

R.221 (7)

H.C.53.

ORDER FOR A REHEARING

(General title - Form 1)

IT is ordered that the judgment (or order) in this action and all subsequent proceedings thereon be set aside subject to the following terms and conditions:; and that a rehearing be had between the parties at the High Court at.....on..... day, the day of, 19....., at the hour of in the forenoon.

Dated at..... this day of, 19.....

.....

Registrar.

SECOND SCHEDULE - continued

R.223 (3)

H.C.54

ORDER FOR EXAMINATION OF JUDGMENT DEBTOR

In the High Court

Plaint No.....

held at.....

Between

....., Judgment Creditor,

and

....., Judgment Debtor.

It is ordered that the above-named judgment debtor attend at the High Court at..... on day, the day of, 19....., at the hour of..... in the..... noon, for the purpose of being examined as to any and what debts are owing or accruing to him, and whether he has any and what other property or means of satisfying the judgment (or order) in this action, and that the said judgment debtor do then and there produce any books or documents in his possession or power containing particulars relating to his property or means.

Dated at....., this..... day of, 19.....

.....
Registrar.

R.226 (3)

H.C.55.

ORDER TO PROCEED WHERE CHANGE OF PARTIES AFTER
JUDGMENT

(General title - Form 1)

It is ordered that, of, Occupation, the..... of....., the plaintiff (defendant) in this action be substituted as plaintiff (defendant) for the original plaintiff (defendant) and that the said be at liberty to issue execution against the said or to take any such action as the said would have been entitled to take against the said..... for the amount of the unsatisfied judgment and costs in this action. (or that the question whether, of, the of, the original plaintiff in this action, is entitled to recover the amount of the judgment obtained against....., the defendant in this action, and costs, shall be tried in an action wherein the said shall be plaintiff and the said shall be defendant.)

SECOND SCHEDULE - continued

(or that the question whether, the plaintiff in this action, is entitled to recover the amount of the judgment obtained against, the original defendant in this action, and costs, from, of, Occupation7,, the of the said shall be tried in an action wherein the said shall be plaintiff and the said shall be defendant.)

Dated at, this day of, 19

.....

Registrar.

R.229

H.C.56.

RECEIPT FOR MONEYS PAID UNDER WARRANT

All Government Receipts must be given on Numbered " Official Forms.

Name of Court issuing warrant:

Plaint No.:

Warrant No.:

Moneys paid under Warrant.

Received from the sum of

Dollars and cents (\$.....), being amount due

under warrant of commitment in the case of v.

Dated at, this day of, 19

.....

NOTE: - If the defendant does not pay, this receipt must be returned to the Registrar of the Court.

R.241 (1)

H.C.57.

NOTICE OF TIME WHEN AND PLACE WHERE GOODS
WILL BE SOLD UNDER WRIT OF SALE

(Title - As in Form '70.)

TAKE notice that your goods taken in execution herein will be sold by at on the day of, 19, at the hour of in the noon unless the amount to be levied under the warrant, together with the fees for the execution thereof incurred to the time of payment, be paid to me before the time mentioned.

Dated at, this day of, 19

.....
Officer executing writ.

To the Execution Debtor.

SECOND SCHEDULE - continued

R.243 (2)

H.C.58.

BALANCE-SHEET OF OFFICER AFTER EXECUTINGWRIT OF SALE

(Title - As in form 70)

RETURN to Writ of sale from the Officer of the High Court at.....
to the Registrar of the High Court at..... executing the same.
Voucher

	\$.	c.
Gross amount seized or received as per inventory attached		
Payments in deduction		
Net amount payable to credit of execution creditor		
Dated at....., this day of, 19.....		

.....
Officer executing writ

I hereby certify that the above charges are correct, that all disbursements are supported by vouchers, and that the sum of dollars and cent was paid into Court this day of, 19

.....
Registrar.

RR.244

H.C.59.

APPLICATION FOR WARRANT OF EXECUTION

Plaint No.:
Warrant No.:

In the High Court
held at.....

Between

....., of [Occupation],
Judgment Creditor (Plaintiff)

and

....., of [Occupation],
Judgment Debtor (Defendant)

I REQUEST that the judgment (or order) of the High Court at
....., dated the day of, 19....., be enforced
by the issue of a warrant of (for) [State type of warrant applied for]

..... against, of, the above-named judgment debtor, for the sum of \$....., being the unpaid portion (as per subjoined statement) of the sum (viz., \$....., including costs), which the said judgment debtor was adjudged (ordered) to pay to me.
 (or for the return of the following specific goods, viz.: ordered to be returned to me.)
 (or for recovery of [Describe land], possession of which was ordered to be given to me forthwith (or on the day of 19....) (together with the sum of \$..... for rent or mesne profits, or rent and mesne profits, or damages, and \$..... for costs as per the subjoined statement.)
 (or as the case may be)

Amount of judgment (order, including costs)	...	\$.	c.	\$.	c.
Subsequent costs	...	...	....	....	....
Amount paid in part satisfaction of above judgment (order)	....	....	....	....	....
Balance still unpaid, for which distress is requested	....	....	....	....	....
Total	..	..	..	....	....

Dated at....., this..... day of, 19....

Witness to signature:

To the Registrar of the High Court at.....

	Date	Time	Initials
Application filed	..		
Warrant issued	..		

R.244

WARRANT FOR RECOVERY OF SPECIFIC CHATTELS

H.C.60

(General title - Form 1)

To a Officer of the High Court at.....

(or To a Constable at.....).

WHEREAS, of, the defendant, was on the day of, 19, duly adjudged or ordered by the High Court sitting at to return to, of

SECOND SCHEDULE - continued

[Here enumerate goods ordered to be returned] wrongfully detained by the said defendant:

And whereas the said goods have not been returned according to the said order:

This is therefore to command you to demand of the said defendant and seize the said goods, if they can be found by you, and to deliver them to the said, and to make return of what you shall do by virtue of this warrant immediately on the execution thereof.

Dated at....., this day of, 19.....

.....
Registrar.

R.246

H.C.61.

WRIT OF SALE

In the High Court

held at.....

Plaint No.....

Between

....., of, [Occupation]
Plaintiff,

and

....., of, [Occupation]
Defendant.

YOU are hereby directed to make of the chattels of, the above-named defendant, the sum of, which the above-named plaintiff has recovered against him in this Court by virtue of a judgment given on the day of, 19, (together with interest upon the said sum at the rate of \$..... for every \$..... by the year from the said day of, 19....) and cause that money (with such interest as aforesaid) immediately after the execution hereof to be rendered to the said plaintiff.

Dated this..... day of, 19.....

.....
Registrar.

[SEAL]

To [Officer of the Court or a Constable).

R.247

H.C.62.

WRIT OF POSSESSION

In the High Court

held at.....

Plaint No.....

SECOND SCHEDULE - continued

Between

....., of, Occupation,
Plaintiff

and

....., of, Occupation,
Defendant

YOU are hereby directed to deliver to, the above-named plaintiff, possession of all that parcel of land being Here describe the land so as to identify it, in pursuance of a judgment obtained in this Court by the said plaintiff against the said defendant on the day of, 19

.....

Registrar.

[SEAL]To Officer of the Court or a constable

R.252 (1)

H.C.63.

NOTICE AS TO CONSEQUENCES OF DISOBEDIENCE
OF ORDER OF COURT

To, of, Occupation
TAKE notice that unless you obey the directions contained in this order you will be guilty of contempt of Court and will be liable to be committed to prison.

Dated at....., this day of, 19.....

.....

Registrar.

R.252 (2)

H.C.64.

NOTICE TO SHOW CAUSE WHY ORDER OF COMMITTAL
SHOULD NOT BE MADE

(General title - Form 1)

TAKE notice that the plaintiff (or defendant) will on day, the day of, 19....., at the hour of in the noon, apply to this Court for an order for your committal to prison for having disobeyed the order of this Court made on the day of, 19.....; enjoining and restraining you from Here set out the terms of the injunction (or for having neglected to obey the order made on the

SECOND SCHEDULE - continued

day of; 19....; requiring you to [Here set out the mandatory part of the order].

And further take notice that you are hereby required to attend the Court on the first-mentioned day to show cause why an order for your committal should not be made.

Dated at..... this day of 19

.....
Registrar.

To....., of, [Occupation]

R.252 (4)

H.C.65.

ORDER OF COMMITTAL FOR BREACH OF OR NEGLECT
TO OBEY ORDER

(General title - Form 1)

WHEREAS by an order of this Court, dated the day of
19...., [Here recite the order]:

Now, upon the application of the, and upon hearing the
.....(or, as the case may be, and upon reading the affidavit
of showing that a copy of the said order endorsed with a
notice in the form number 63 and notice of this application have
been severally served upon the), and upon [State such
evidence as may have been given], the Court, being of opinion,
upon consideration of the facts disclosed by the evidence given,
that the said has been guilty of a contempt of this Court
by a breach of (or by neglecting to obey) the said order - that is
to say, by [Here set out the particular matter of contempt] - doth
order that the said be committed to the prison at.....
for the term of for his contempt, and that a warrant of
committal for the arrest of the said be forthwith issued.

And it is ordered that the said do pay the costs of
the of this application and of the committal, amounting
to \$.....

(Add, if so ordered, And it is further ordered that any
application for the release of the said from custody
shall be made to the High Court at).

Dated at..... this day of 19....

.....
Registrar.

SECOND SCHEDULE - continued

R.252 (4)

H.C.66.

WARRANT OF COMMITTAL

(General title - Form 1)

To a constable at.....),

and To the Gaoler of the prison at.....

WHEREAS by an order bearing date the day of
19....., it was ordered that....., of, should stand
committed to prison for contempt of this Court.

This is therefore to command you, the said, to arrest
the said and safely convey and deliver him to the Gaoler
of the prison at....., and you, the said Gaoler, to receive
the said and keep him safely in the said prison for the
term of or until the further order of this Court.

Dated at....., this day of, 19.....

.....
Registrar.

R.253 (4)

H.C.67.

ORDER FOR DISCHARGE

(General title - Form 1)

To the Gaoler of the prison at.....

YOU are hereby ordered and authorized to release now in your
custody under warrant issued out of this Court dated the day
of, 19....., if he be in your custody under that warrant and
no other, and for so doing this shall be your authority.

Dated at....., this day of, 19.....

.....
Registrar.

R.254

H.C.68.

MOTION FOR ORDER FOR PAYMENT OF JUDGMENT DEBT

In the High Court of the Cook Islands.

Between
....., of [Occupation],
Judgment creditor,
and
....., of [Occupation],
Judgment debtor.

The above-named judgment creditor makes application for an order under

SECOND SCHEDULE - continued

section 141 of the Cook Islands Act 1915 for the payment by the above-named judgment debtor of the sum of, for which judgment was obtained in this Court on the day of, 19...., and which is still unpaid.

R.255

H.C.69

JUDGMENT SUMMONS

In the High Court of the Cook Islands

Plaint No.

Between

....., of, Occupation,
Judgment creditor,

and

....., of, Occupation,
Judgment debtor.

TAKE notice that you are hereby summoned to appear before this Court at..... on, the day of, 19....., at o'clock in the noon, to show cause why an order under section 141 of the Cook Islands Act 1915 should not be made against you for the payments of the sum of due by you to the above-named judgment creditor under a judgment obtained against you in this Court on the day of, 19....

For disobedience to any order which may be so made against you you will be liable to imprisonment.

[SEAL]

To the above-named judgment debtor.

.....
Registrar.

R.259 (1)

H.C.70.

AFFIDAVIT IN SUPPORT OF GARNISHEE SUMMONS

In the High Court

held at.....

Between

....., Judgment Creditor,

and

....., Judgment Debtor,

and

....., Sub-debtor.

Plaint No.

SECOND SCHEDULE - continued

I,, of, Occupation, make oath and say:-

- (1) That on the day of, 19...., in the High Court held at, I, the above-named judgment creditor, obtained a judgment in this action against the above-named judgment debtor for the sum of \$....., including costs:
- (2) That the said judgment (or the sum of \$....., part of the said judgment) is still unsatisfied:
- (3) That I verily believe that the above-named sub-debtor is (or sub-debtors are) indebted to the said judgment debtor in the sum of \$..... or thereabouts:
- (4) That the debt mentioned in paragraph (3) hereof is (or is not) in respect of wages.

Signature of Deponent:

Sworn at, this day of, 19...., before me -

.....

Registrar.

Solicitor

Justice of the Peace

R.259 (2)

H.C.71

GARNISHEE SUMMONS TO SUB-DEBTOR

(Title - As in form 69)

WHEREAS the judgment creditor on the day of, 19...., obtained judgment (or an order) in the High Court at..... against the judgment debtor for payment of the sum of \$....., including costs, which judgment (or order) remains unsatisfied as to the sum of \$.....:

And whereas the judgment creditor has filed an affidavit stating that you are indebted to the said judgment debtor in the sum of \$.....:

You are hereby summoned to attend at the High Court to be held at on day, the day of, 19...., at the hour of in the forenoon, to show cause why an order should not be made against you for the payment to the judgment creditor of the amount of the debts due and owing or accruing from you to the said judgment debtor or so much thereof as will satisfy the debt due under the said judgment (or order), and the costs entered on this

summons:

SECOND SCHEDULE - continued

And take notice that from and after the service of this summons upon you so much of the debts owing or accruing from you to the judgment debtor as will satisfy the debt due under the said judgment (or order) and the costs entered on this summons is attached to answer the said judgment (or order):

And further take notice that if at any time before the date of hearing of this summons you pay to the Registrar of this Court the amount of such debts, or so much thereof as will satisfy the debt due under the said judgment (or order) and the costs entered on this summons, you will incur no further costs:

And further take notice that if you dispute the debt alleged to be due from you to the judgment debtor, you should, within days after service of this summons on you, inclusive of the day of service, file in the Court office and serve on the judgment creditor and the judgment debtor a notice that you dispute the debt claimed. Forms will be provided at any office of the Court.

The filing of the notice does not relieve you from attending on the day named in the summons.

Dated at, this day of, 19....

.....

Registrar.

To the above-named sub-debtor.

	\$.	c.
Amount remaining due under judgment (Order)		
Subsequent costs	..	
Fee for issue of this summons	..	
Service fee	..	
Solicitor's costs	..	
Total amount for which summons issued		=====

Cheques are not accepted for payment into Court.

NOTICES TO SUB-DEBTOR

1. Failure to act in accordance with the directions contained in this summons may add to the costs.
2. If this summons was issued for hearing in a Court other than the Court in which the judgment debtor might have commenced an action against you to recover the debt due by you to him, you are entitled to apply to the Court where this summons was issued either for the proceedings to be transferred to the Court in which the judgment debtor might have taken proceedings against you, or for the proceedings to be referred to the Registrar of that Court for inquiry and report.

This summons is issued at the instance of the judgment creditor, whose address for service is at

[A printed form of affidavit of service (see form 20) is to be endorsed hereon.] The following information is printed in the left-hand margin of the form:-

The office of the Court is open to the public from to on Mondays to Fridays inclusive.

If you are in doubt, consult the Registrar immediately.

R.259 (2)

H.C.72

NOTICE TO JUDGMENT DEBTOR OF ISSUE OF
GARNISHEE SUMMONS

(Title - as in form 70)

TAKE notice that a garnishee summons, a copy of which is hereto annexed, has been issued out of this Court, and that if you have any cause to show why the Court should not order the sub-debtor to pay the judgment creditor the debt alleged to be due from the sub-debtor to you, or so much thereof as may be sufficient to satisfy the sum due to the judgment creditor from you, with the costs entered on the garnishee summons, you must attend at this Court at the time and place fixed for the hearing of the garnishee summons and show such cause accordingly.

Dated at....., this day of, 19....

.....

Registrar.

To the above-named Judgment Debtor.

NOTE

You are entitled to appear at the hearing of the garnishee summons to give evidence as to your circumstances. If it appears to the Court that the whole or part of the moneys sought to be attached are reasonably required by you for the maintenance and support of yourself and your family, the Court may refuse to make an order attaching the debt, and may make such order as to the disposal of any moneys paid into Court as it thinks fit.

This summons is issued at the instance of the judgment creditor, whose address for service is at

[A printed form of affidavit of service (see form 20) is to be endorsed hereon.] The following information is printed in the left-hand margin of the form:-

If you are in doubt, consult the Registrar immediately.

R.264 (1)

H.C.73.

NOTICE BY SUB-DEBTOR THAT HE DISPUTES DEBT
CLAIMED

(Title - As in form 76)

TAKE notice that I, the above-named sub-debtor, dispute the debt
claimed to be due from me to the above-named judgment debtor.

Dated at, this day of, 19....

.....
Sub-debtor.

To the Registrar of the High Court at.....

and

To the above-named Judgment Creditor and Judgment Debtor.

R.276 (1)

H.C.74.

INTERPLEADER SUMMONS IN AN ACTION TO PERSON
MAKING ADVERSE CLAIM TO DEBTOR ON OTHER THING
IN ACTION, MONEY, OR GOODS.

In the High Court

held at.....

Plaint No.....

Between

....., Plaintiff,

and

....., Defendant,

and

....., Claimant.

WHEREAS the defendant in this action (a copy of the summons and
statement of claim wherein is hereto annexed) has filed an affidavit
(a copy whereof is also hereto annexed) stating that he has
received a claim from you to, the subject-matter of this
action (or to, part of the subject-matter of this action):

You are therefore summoned to attend at the High Court at.....
on day, the day of, 19...., at the hour
of in the noon, when judgment will be given
determining the rights and claims of the plaintiff, the defendant,
and yourself.

Dated at....., this day of, 19....

.....
Registrar.

To [Here insert name, address, and occupation of the person to
be summoned].

SECOND SCHEDULE - continued

NOTICE - You are required within days after service of this summons on you, inclusive of the day of service, to serve on the plaintiff and on the defendant and file in the Court office either a notice that you make no claim, or particulars stating the grounds of your claim to the subject-matter of the action.

The address for service of the plaintiff is at; and the address for service of the defendant is at

The following information is to be written in the left-hand margin of the form:-

The office of the Court is open to the public from to on Mondays to Fridays inclusive.

If you are in doubt, consult the Registrar immediately.

R.276 (1)

H.C.75.

NOTICE TO PLAINTIFF WHERE INTERPLEADER SUMMONS
ISSUED PERSON MAKING ADVERSE CLAIM TO DEBT OR
OTHER THING IN ACTION, MONEY, OR GOODS

(Title - As in form 'A'.)

WHEREAS the defendant in this action has filed an affidavit (a copy whereof is hereto annexed) stating that he has received notice from, of, claiming the subject-matter in this action (or part of the subject-matter in this action):

I take notice that a summons has been issued to the said to attend at the High Court at, on day, the day of, 19...., at the hour of in the noon (and that the hearing of this action has been adjourned to the same place, day, and hour), when judgment will be given determining the rights and claims of yourself, the defendant, and the said

Dated at, this day of, 19....

.....
Registrar.

To the Plaintiff.

NOTICE - The claimant is required within days after service of the said summons upon him, inclusive of the day of service, to file in the Court office and to serve upon you and upon the defendant, either a notice that he makes no claim, or particulars stating the grounds of his claim to the subject-matter in the action.

SECOND SCHEDULE - continued

The address for service of the defendant is at; and the address for service of the claimant is at

The following information is to be written in the left-hand margin of the form:-

The office of the Court is open to the public from to on Mondays to Fridays inclusive.

If you are in doubt, consult the Registrar immediately.

R.276 (2)

H.C.76.

INTERPLEADER SUMMONS TO PERSONS MAKING ADVERSE CLAIMS TO DEBT OR OTHER THING IN ACTION, MONEY, OR GOODS NOT THE SUBJECT-MATTER OF AN ACTION.

In the High Court
held at.....

Plaint No.

Between
....., Applicant,
and
..... }
and } Claimants.
..... }

WHEREAS, of, has filed an affidavit (a copy whereof is hereto annexed) stating that he has received adverse claims from, of, and, of, to /Here state the debt, thing in action, money, or goods to which the adverse claims are made7:

You are therefore summoned to attend at the High Court at..... on day, the day of, 19....., at the hour of in the noon, when judgment will be given determining the rights and claims of the said and

Dated at, this day of, 19.....

.....
Registrar.

To the Claimants.

NOTICE - You are each required within days of the service of the summons on you, inclusive of the day of service, to file in the Court office and serve on the other parties named in this summons either a notice that you make no claim, or particulars stating the grounds of your claim.

SECOND SCHEDULE - continued

The address for service of the applicant is at.....

The following information is to be written in the left-hand margin of the form:-

The office of the Court is open to the public from to on Mondays to Fridays inclusive.

If you are in doubt, consult the Registrar immediately.

R.286 (1)

H.C.77.

APPLICATION FOR WRIT OF ARREST

(General title - Form 1)

I,, of, Occupation, the above-named plaintiff (or the duly authorized agent of the above-named plaintiff), hereby apply to the High Court at for the issue of a writ of arrest against of, Occupation, the above-named defendant, upon the grounds set out in the affidavit appended hereto.

Dated at....., this day of, 19....

.....
(Agent for) Plaintiff.

I,, of, Occupation, make oath and say as follows:-

- (1) That I am the plaintiff in this action (or I am the agent of the plaintiff in this action duly authorized by him to sue for and recover from the defendant the claim hereinafter mentioned by a power of attorney (or as the case may be) under the hand of the plaintiff dated the):
- (2) That the above-named defendant is justly and truly indebted to me (or to the plaintiff) in and I have (the plaintiff has) a good cause of action against him for the sum of \$..... for, the particulars whereof are set out in the statement of claim filed herein.
- (3) That the debt was contracted on State date:
- (4) That Specify grounds for belief that the defendant is about to leave the Cook Islands and to evade payment:

SECOND SCHEDULE - continued

- (5) That for the reason aforesaid, I verily believe that the defendant is about to leave the Cook Islands immediately, and that he intends thereby to evade the payment of the above sum to me.

.....

Signature of Deponent

Sworn at, this day of, 19....., before me -

.....

Registrar

Justice of the Peace

Solicitor.

R.287 (1)

H.C.78.

WRIT OF ARREST

(General title - Form 1)

To a Constable at.....).

WHEREAS it has been made to appear to the satisfaction of me, the undersigned Judge by the affidavit of, the plaintiff in the above action, that he, the above-named plaintiff, has a good cause of action against the above-named defendant for the sum of dollars and cents, for which a summons has been issued out of this Court (or out of the High Court at.....), and that there is probable cause for believing that he, the said defendant, is about to leave the Cook Islands, and to evade payment of the said sum of \$.....:

Now, therefore, I do hereby command you, by virtue of the powers given to me by Rule 284 of the Code of Civil Procedure of the Cook Islands, that, unless the said defendant deposits with you, or with the Registrar of the High Court, the said sum of \$....., together with costs, \$....., to be paid, applied, and disposed of according to the judgment of the Court in this action, you do immediately bring him, the said defendant, before me, the said Judge, at the High Court at, to be further dealt with according to law.

And I do further command you to certify to me without delay what you shall do under this warrant.

Dated at....., this day of, 19.....

.....

Judge

A.287 (2)

H.C.79.

NOTICE TO DEFENDANT ARRESTED UNDER WRIT

(General title - Form 1)

TAKE notice that if you deposit with the office executing the writ of arrest issued this day out of the High Court at....., or with the Registrar of the Court at....., the sum of dollars and cents, being the amount claimed, and \$...... for costs, you will be discharged from custody, and the said sum will be paid, applied, and disposed of according to the final judgment of the Court.

Dated at....., this, day of, 19....

.....

Registrar.

To the Defendant.

R.287 (3)

H.C.80.

BAIL BOND TO BE GIVEN BY DEFENDANT ARRESTED
UNDER WRIT OF ARREST

(General title - Form 1)

KNOW all men by these presents that we,, of, and, of, and, of, are jointly and severally held and firmly bound to the Registrar for the time being of the High Court at..... in the sum of dollars, to be paid to the said Registrar, for which payment to be made we bind ourselves and each and every of us, jointly and severally, firmly by these presents:

Whereas on the day of, 19....., the above-named entered a plaint against the above-bounded in the High Court at..... to recover the sum of dollars and cents for costs:

And whereas it has been made to appear to, Judge, by the affidavit of, that there is probably cause for believing that the above-bounded was about to leave the Cook Islands and to evade payment of such sum:

And whereas a writ of arrest was issued, and the above-bounded has been arrested, but desires to be released on bail:

Now, the condition of this obligation is that if the above-bounded shall appear at the High Court at..... on day, the day of, 19....., at the hour of in the noon, to answer the demand of the said and shall not depart until the judgment of the Court has been given, when this obligation shall be void, but otherwise shall remain in full force.

SECOND SCHEDULE - continued

Signed by the above-bounden at....., this }
..... day of, 19....., in my presence - }
.....

.....
Judge (or Registrar).

I approve of this bond.

.....

Judge (or Registrar).

R.287 (3)

H.C.81.

WARRANT OF REMAND IN DEFAULT OF BAIL BEING
FOUND

(General title - Form 1)

To a Constable at.....
and To the Gaoler of the Prison at.....
WHEREAS at a sitting of the High Court at..... held this day
before me, the above-named defendant was brought before me pursuant
to a writ of arrest issued at the suit of the above-named plaintiff
for the sum of \$..... and costs \$.....: And whereas, acting
under the powers vested in me by Rule 284 of the Code of Civil
Procedure of the High Court, I did admit the said defendant to bail
by sufficient security, by bond to the Registrar, the said
defendant in the sum of \$....., and surety (sureties)
..... in the sum of \$..... (each), and I did thereupon order
that in default of the said bail being given or the amount of
\$....., with costs \$....., being deposited with the Registrar of
the High Court at....., the said defendant should be detained in
the prison at and be brought from there to the High
Court at..... on day, the day of, 19.....,
at o'clock in the forenoon: And whereas default has been
made in the said bail being given, and the said amount (\$.....)
and costs \$.....) has not been deposited as aforesaid: This is
therefore to command you, the said Constable, to take the said
defendant and deliver him to the Gaoler of the prison at.....:
And I hereby command you, the said Gaoler, to receive the said
defendant into your custody and there to detain him, and bring
him to the High Court at....., on day, the
day of, 19....., at o'clock in the forenoon,
before me or some other Judge unless he shall sooner give the
prescribed security or make the said deposit, or until he shall
be sooner discharged by due course of law.

Dated at....., this..... day of, 19....

.....
Judge.

R.290

H.C.82.

ORDER AGAINST EXECUTOR OR ADMINISTRATOR IN
RESPECT OF ASSETS RECEIVED SINCE JUDGMENT

In the High Court
held at.....

Plaint No.

Between

....., Plaintiff,

and

....., the executor (or
administrator) of, deceased,

Defendant.

WHEREAS at the hearing of this action on the day of, 19...., it was adjudged that the plaintiff should recover against the defendant the sum of \$..... for and \$..... for costs, and it was ordered that the said sums be levied of the assets of the estate of the above-named deceased which should thereafter come into the hands of the defendant as executor (or administrator) as aforesaid to be administered:

And whereas, on the application of the plaintiff this day, it appears to the Court that since the said judgment assets of the estate of the deceased have come to the hands of the defendant as executor (or administrator) as aforesaid:

It is ordered that the said sums be levied of the assets of the estate of the said deceased which have come to the hands of the defendant as executor (or administrator) since the date of the said judgment.

Dated at....., this day of, 19....

.....

Registrar.

To the Defendant.

R.291

H.C.83.

PROBATE

In the High Court of the Cook Islands.

BE it known to all men that on this day of, in the year 19....., the last will and testament of, deceased, a copy of which is hereunto annexed, has been exhibited, read, and proved before this Court, and administration of the estate of the

SECOND SCHEDULE - continued

deceased has been and is hereby granted to, the executor in the said will and testament named, being first sworn faithfully to execute the same.

Given under the seal of the High Court of the Cook Islands at, this day of 19....

[SEAL]

.....
Registrar.

R.292

H.C.84.

LETTERS OF ADMINISTRATION WITHOUT A WILL

In the High Court of the Cook Islands.

In the matter of the estate of, deceased intestate.

To, widow /or as the case may be of deceased.

WHEREAS the said lately departed this life intestate:

You are therefore by these presents constituted administrator of the estate of the said deceased, you having been first sworn well and faithfully to administer the same.

Given under the seal of the High Court of the Cook Islands at, this day of, 19....

[SEAL]

R.293

H.C.85.

LETTERS OF ADMINISTRATION WITH THE WILL ANNEXED

In the High Court of the Cook Islands.

In the matter of the will of, deceased.

To, widow /or as the case may be of deceased.

WHEREAS the said lately departed this life leaving a will which has been duly proved in this Court and a copy of which is hereunto annexed; And whereas no executor is named in that will /or the executors named in that will have not applied for probate: You are therefore by these presents constituted administrator with the will annexed of the estate of the said deceased, you having been first sworn well and faithfully to administer the same.

Given under the seal of the High Court of the Cook Islands at, this day of, 19....

[SEAL]

SECOND SCHEDULE - continued

R.294

H.C.86.

ADMINISTRATOR BOND

In the High Court of the Cook Islands.

In the matter of the estate of, deceased
KNOW all men by these presents that we..... are held and firmly
bound unto the Registrar of the High Court at Rarotonga /or at
...../ in the sum of, for which payment well and truly
to be made to the said Registrar we do and each of us doth bind
ourselves and each of us, and the executors and administrators of
us and of each of us, jointly and severally, firmly by these
presents.

Whereas by order of this Court of the day of,
19...., it is ordered that letters of administration of the estate
of, deceased, be granted to the said on his giving
security for the due administration thereof: and whereas
has sworn that to the best of his knowledge and belief the said
estate is under the value of \$.....:

Now, the condition of the above-written bond is that if the
above-bonded well and truly administers the said estate
according to law and renders to this Court a true and just
account of his administration on or before the day of,
19...., then this bond shall be void and of none effect, but
otherwise shall remain in full force.

Signed the day of, 19...., in the presence of -
.....

R.217

H.C.87.

ORDER FOR WITHDRAWAL OF MONEYS

(General title - Form 1)

I,, the in this action, hereby authorize
Mr, of, to receive out of Court all moneys
which now are or may become payable to me in this action.

Dated at....., this day of, 19....

Witness to signature:

.....
Plaintiff (Defendant)

EXEMPT FROM STAMP DUTY

SECOND SCHEDULE -- continued

R.321. (1)

H.C.C.

BOND BY PERSON GIVING SECURITY.

(General title - Form 1)

KNOW all men by these presents that we, A.B., of, [Occupation], and C.D., of, [Occupation], and E.F., of, [Occupation], are jointly and severally held and firmly bound to in the sum of dollars, to be paid to the said, for which payment to be made we bind ourselves and each and every of us jointly and severally firmly by these presents:

Whereas [Here recite the circumstances in which the bond is required]:

Now, the condition of this obligation is that if the above-bounden
[principal party] do [Here state the obligation undertaken], then
this obligation shall be void, and of none effect, but otherwise
the same shall remain in full force.

Signed by the above-bounden at } , Principal Party.
 , this day of , } , Surety
 19....., in my presence - } , Surety.

.....

Registrar.

Justice of the Peace

Solicitor.

Sureties approved.

.....

Registrar.

	*Filing, in respect of a claim	(a) Plaintiff note; or for a sum of money only:	(b) Counterclaim; or Interpleader affidavit, pursuant to Rule 273, of a defendant person other than a defendant	*Filing any document mentioned in item 1, where claim is not for money	*Filing originating application	*Filing (on amount owing under judgment)	(a) Application for judgment summons; or (b) Applications for any warrant of commitment or writ of arrest (in addition to the amounts payable under items 11 to 13); or (c) Affidavit in support of garnishee summons	*Filing application for any warrant not mentioned in item 4
Amount Exceeding \$1,500	\$	..	2.00	4.00	4.00	..	2.50	..
Amount Exceeding \$20	\$	..	3.00	..	..	..	3.00	..
Amount Exceeding \$40 but not exceeding \$100	\$	..	4.00	..	..	..	4.00	..
Amount Exceeding \$100 but not exceeding \$500	\$	..	6.50	..	..	..	6.00	..
Amount Exceeding \$500 but not exceeding \$1,000	\$	..	9.00	..	..	..	8.00	..
Amount Exceeding \$1,000 but not exceeding \$1,500	\$	..	11.00	..	..	..	10.00	..
Exceeding Amount	\$	..	13.00	..	..	..	12.00	4.00

THIRD SCHEDULE - continued

*Note Where a claim for a sum of money is combined with a claim that is not for money, whether in the alternative or not, the fee payable shall be under Item 1 or Item 2, whichever is the higher, or, as the case may require, under Item 4 or Item 5, whichever is the higher.

6. Filing application for examination pursuant to Rule 223 or Rule 224 (irrespective of number of persons to be examined)	\$3.00
7. Filing application for: (a) Variation of judgment or order; or (b) Leave to enforce judgment or order	\$2.00
8. Issue of certificate of judgment or order	\$1.00
9. For search: In any one matter	\$0.50
General Search	\$1.00
10. Copy of the Judge's notes when notice of appeal has been lodged: For each page,	\$0.20
11. Copy of Judge's notes in any other case or of Registrar's notes or of judgment or any other document: For each page	\$0.50
12. For expenses of execution of any warrant of committal or writ of arrest: The actual expenses incurred by the Court Officer or Constable, including the costs of conveyance and lodging in prison of the person arrested	
13. For storage, cartage, and removal of goods, or advertising of goods for sale: Actual and reasonable disbursements.	

THIRD SCHEDULE - continued

R.298

PROBATE AND ADMINISTRATION MATTERS

	\$	C
1. Filing notice of motion for probate or letters of administration	2.00	
2. Filing any document not otherwise provided for	1.00	
3. Sealing probate or letters of administration, or resealing pursuant to s. 50 of the Administration Act 1952 -		
In an estate not exceeding \$200	1.00	
In an estate exceeding \$200 but not exceeding \$1,000	2.00	
In an estate exceeding \$1,000 but not exceeding \$2,000	6.00	
In an estate exceeding \$2,000 but not exceeding \$6,000	10.00	
And for each \$2,000 or part thereof in excess of \$6,000	2.00	
The sealing fee is to be calculated upon the net value of the estate.		
4. Sealing probate pursuant to leave reserved, or letters of administration de bonis non, or any grant made subsequent to the original grant of probate or letters of administration	6.00	
Or such less sum as was paid upon the sealing of the grant in the first instance.		
5. Sealing exemplification (probate or letters of administration)	4.00	
6. Certificate of administration (under s.8A, Administration Act 1952)	1.00	
<u>HEARING FEE</u>		
1. First day or part	10.00	
2. Each subsequent day or part	5.00	

R.299

FOURTH SCHEDULEScale of Allowances to WitnessesA. Fees

1. (1) To a witness attending to give evidence strictly as an expert, -

- (a) For every day when required to be absent from his usual place of residence or business for a period not exceeding 3 hours \$3.00

Provided that the fee prescribed by paragraph (b) of this clause may be allowed in any case where the Court or Registrar is satisfied that the witness, because of his attendance at the Court-house, will be absent from his work for a full day:

- (b) For every day on which attendance is required for a period exceeding 3 hours \$5.50

- (c) In addition to such fees, there may be paid to an expert witness a qualifying fee for any analysis, preparation of maps, plans, or reports or other work necessarily undertaken in preparation for giving evidence, being such sum as the Court or Registrar considers fair and reasonable, but not exceeding for every hour engaged \$2.50

1. (2) Notwithstanding the provisions of paragraphs (a) and (b) of sub-clause (1) of this clause, if the Court or paying officer is satisfied that the witness will suffer a loss of earnings as a result of travelling between his usual place of residence or business and the Court-house for the purpose of giving evidence, the Court or Registrar may allow the appropriate fee under those paragraphs as if that witness was in attendance at the Court-house during the time when he was so travelling.

2. (1) To any other witness, not being a school child or a child under school age, -

- (a) For every day when required to be absent from his usual place of residence or business for a period not exceeding 3 hours \$2.00

Provided that the fee prescribed by paragraph (b) of this clause may be allowed in any case where the Court or Registrar is satisfied that the witness, because of his attendance at the Court-house, will be absent from his work for a full day:

- (b) For every day on which attendance is required for a period exceeding 3 hours \$4.50

FOURTH SCHEDULE - continued

- (2) Notwithstanding the provisions of subclause (1) of this clause, if the Court or Registrar is satisfied that the witness will suffer a loss of earnings as a result of travelling between his usual place of residence or business and the Court-house for the purpose of giving evidence, the Court or Registrar may allow the appropriate fee under that subclause as if that witness was in attendance at the Court-house during the time when he was so travelling.

B. Allowances

To a witness who is necessarily absent overnight from his usual place of residence -

- (a) Where the total period of absence does not exceed 24 hours \$3.00
 (b) Where the total period of absence exceeds 24 hours, for each 6 hours or part thereof \$0.50

Provided also that where the Court or paying officer is satisfied that a witness has been reasonably required to pay for accommodation at a rate higher than that specified in this paragraph, the amount paid may be the sum actually paid by the witness but not exceeding the amount payable under the foregoing provisions of this paragraph plus one-third thereof.

4. Where a witness is not necessarily absent overnight, the following meal allowances may be paid:-

- (a) To a witness who is not entitled to the fees prescribed by clause 1 or clause 2 hereof;
 For every day when he is able to return to his usual place of residence before 7p.m. \$0.75
 For every day when he is not able to return to his usual place of residence before 7.00p.m. \$1.50
 (b) To a witness who is entitled to the fees prescribed by clause 1 or clause 2 hereof, for every day when he is not able to return to his usual place of residence before 7.00p.m. \$0.75

C. Travelling

5. Travelling expenses shall be allowed as follows:-

- (a) The cost of travelling by such mode and class of public transport as the Court or Registrar considers reasonable having regard to the distance travelled, the age and health of the witness and any other relevant circumstances.

FOURTH SCHEDULE - continued

Provided that air fares shall not be allowed unless the Court or Registrar is satisfied that any extra expense occasioned by the use of air transport is justified in all the circumstances:

- (b) Where no public conveyance is available, and the distance travelled exceeds 2 miles one way, mileage at the rate of 9c a mile:

Provided that, in special circumstances, the Court or Registrar may allow the cost of travelling by taxi:

- (c) In any case where a public conveyance is available, mileage may be paid to a witness using his own motor vehicle, or a vehicle hired for his personal use, if the total amount of fees, allowances, and expenses payable to that witness and any other witnesses travelling with him is not more than the total amount that would have been payable if he or they had travelled by public conveyance.
-

A. In Actions for a Sum of Money Only

R. 300 (3)

FIFTH SCHEDULE
SCALE OF SOLICITOR'S COSTS

Amount not Exceeding \$20	Amount Exceeding \$20 but not Exceeding \$40	Amount Exceeding \$40 but not Exceeding \$100	Amount Exceeding \$100 but not Exceeding \$500	Amount Exceeding \$500 but not Exceeding \$1,000	Amount Exceeding \$1,000
1.50	3.00	6.00	9.00	12.00	15.00
1.50	3.00	6.00	9.00	12.00	15.00
1.00	2.00	4.00	6.00	8.00	10.00
1.50	3.00	6.00	9.50	12.50	15.50
2.50	4.00	8.50	12.50	17.00	21.00
4.50	8.50	12.50	12.50	16.00	20.00
3.00	6.50	8.50	12.50	16.00	20.00
2.00	4.00	6.50	2½% with minimum of \$6.50		

1. Preparing statement of claim (or counterclaim) ..
2. Preparing statement of defence where statement
ordered by the Court, or where costs allowed ..
3. (a) Entering judgment in any case where no
appearance is necessary
- (b) Entering judgment where appearance is
necessary but where no witness is called
4. Appearance in undefended cases to obtain
judgment where a witness is called
5. Appearance in Court to conduct defended action
certified for, not exceeding
6. Second and each subsequent day of hearing if
7. Preparing for trial and entering judgment
(if entered) in case in which claim or
defence is not proceeded with

FIFTH SCHEDULE - continued

B. In proceedings where there is a claim other than for a sum of money

8.	Preparing statement of claim or counterclaim or originating application or where costs allowed	..	..	..	..	Not exceeding	\$15.00
9.	Preparing statement of defence where statement ordered by the Court	..	..	..	..	Not exceeding	\$15.00
10.	Appearance in an undefended action or an uncontested originating application	..	..	..	..	\$4 to \$21.00	
11.	Appearance at the hearing of a defended action or contested originating application	..	..	..	..	\$4 to \$63.00	
12.	Second and each subsequent day of hearing, if certified for application	..	..	..	..	\$4 to \$21.00	

C. In all Proceedings

13.	Issuing garnishee proceedings	..	..	..	..	\$2.00	
14.	Appearance to obtain an order on garnishee proceedings, where subdebtor does not dispute the debt	..	..	..	..		
	Not exceeding \$200	..	..	..	..	\$2.00	
	Exceeding \$200 but not exceeding \$1,000	..	..	..	..	\$2.00	
	Exceeding \$1,000	..	..	..	..	\$6.50	
15.	Appearance in any interlocutory proceedings (other than garnishee proceedings), including the taking of evidence, or inquiries before the Registrar. Not exceeding per hour	..	..	..	..	\$6.50	

FIFTH SCHEDULE - continued
D. Judgment summons

Amount Unpaid Exceeding \$40	\$ c	2.00	Amount Unpaid Exceeding \$100 but not Exceeding \$500	Amount Unpaid Exceeding \$500	
Amount Unpaid not Exceeding \$40	\$ c	1.00	Amount Unpaid Exceeding \$40 but not Exceeding \$100	Amount Unpaid Exceeding \$100	
			Amount Unpaid Exceeding \$20 but not Exceeding \$40	Amount Unpaid Exceeding \$40	5.00
			Amount Unpaid not Exceeding \$20	Amount Unpaid not Exceeding \$20	3.00
					17. Appearance in Court on behalf of judgment creditor or judgment debtor
					9.00
					11.00

R. 325(8)

SIXTH SCHEDULETRANSLATION FEES WHICH MAY BE ALLOWED TO AUTHORISED INTERPRETERS

1. For translating into the Maori language any prescribed form and the particulars required to be entered therein \$0.50
2. For translating into the Maori language any statement of claim or other document for which no form is prescribed:-
For the first fifty words\$0.50
For each additional folio of seventy-two words or fraction thereof.....\$0.50

NOTES:

- (1) Numerals do not count as words.
- (2) The fee for any form or document includes all duplicates thereof.

This Act is administered in the Justice Department.

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