

SUPREME COURT OF TASMANIA

CIRCULAR TO PRACTITIONERS

No. 2 of 2016

10 February 2016

CHANGES TO COURT FEES FOR WRITS OF EXECUTION AND SHERIFF'S PROCESSES

Amendment to *Supreme Court Rules 2000* – Court Fees and Percentages

On 6 January 2016 the commencement of an amendment to the *Supreme Court Rules 2000*¹ resulted in a new filing fee for writs of execution.

The amendment to Clause 8 of Schedule 2 *Supreme Court Rules 2000* provides:

10. On filing any writ of execution as defined in rule 894 –

(a)	in respect of a debt not exceeding \$20,000	\$100
(b)	in respect of a debt exceeding \$20,000	\$200

In addition to the filing fee on a writ of execution, the existing warrant fee imposed under the *Civil Process (Table of Fees for Execution) Rules 1991*² is payable. The warrant fee is:

1. For each warrant issued by the Sheriff or any deputy of the Sheriff –

(a)	In respect of debts not exceeding \$20,000	\$100
(b)	In respect of debts exceeding \$20,000	\$200

The warrant fee is frequently paid at the time the writ is filed. The Court will accept a single cheque for the filing fee on the writ and the warrant fee, to be provided upon the filing of a writ of execution.

Amendment to *Civil Process (Table of Fees for Execution) Rules 1991* – Sheriff's Fee for Levy or Seizure

On 23 December 2015 an amendment to the *Civil Process (Table of Fees for Execution) Rules 1991* commenced.³

The amendment, to Schedule 1, provides:

¹ Clause 8 of Schedule 2, Item 10 *Supreme Court Rules 2000*, arising from *Supreme Court Amendment (Miscellaneous) Rules 2015* (S.R. 2015, No 99) Gazetted 23 December 2015, commencing 6 January 2016

² *Civil Process (Table of Fees for Execution) Rules 1991*, Schedule 1, Item 1

³ *Civil Process (Table of Fees for Execution) Amendment Rules 2015* (S.R. 2015, No.90)

7. For a levy or seizure by the Sheriff –
- | | | |
|-----|--|-----------------|
| (a) | <i>in respect of a debt not exceeding \$20,000</i> | <i>\$310.00</i> |
| (b) | <i>in respect of a debt exceeding \$20,000</i> | <i>\$620.00</i> |
| (c) | <i>in respect of a writ of execution that is otherwise than in respect of a debt</i> | <i>\$620.00</i> |

The levy or seizure fee will be recovered by the Sheriff during the course of execution but in the event that no recovery is able to be made, by invoice to the judgment creditor.

JA Connolly
REGISTRAR