

Zambia

High Court Act

## High Court (Civil Jurisdiction) (Family Court Fees) Regulations, 2021 Statutory Instrument 91 of 2021

Legislation as at 31 December 2021

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High Court (Civil Jurisdiction) (Family Court Fees) Regulations, 2021  
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# **Zambia**

## **High Court Act**

# **High Court (Civil Jurisdiction) (Family Court Fees) Regulations, 2021**

## **Statutory Instrument 91 of 2021**

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**Commenced on 31 December 2021**

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IN EXERCISE of the powers contained in section 43 of the High Court Act, the following Regulations are made:

### **1. Title**

These Regulations may be cited as the High Court (Civil Jurisdiction) (Family Court Fees) Regulations, 2021.

### **2. Prescribed fees**

The fees set out in the Schedule are payable for the matters specified therein

### **3. Supremacy of Rules**

The fees set out in these Rules shall, to the extent of the inconsistency, prevail in the Family Court where there is an inconsistency between the fees set out in these Rules and the fees applicable to the General List.

**Schedule (Regulation 2)****Part I – General**

No.	Item		Fee units
1.	(a)	On filing a writ of summons and accompanying documents	750
	(b)	On filing an originating summons	556.67
2.	On sealing of concurrent or renewed writ of summons or concurrent originating summons		278.34
3.	On filing a minor amendment		83.34
4.	On filing		
	(i)	an affidavit of service; or	30
	(ii)	a certificate of service	30
5.	On filing defence or an affidavit in opposition		300
6.	On filing a summons		100
7.	On filing of summons for restoration of a matter which has been struck out for non-attendance		500
8.	On filing an interlocutory notice of motion or application not specifically provided for		350
9.	On filing a skeleton argument		76.67
10.	On issuing a letter for examination of a witness		130
11.	On filing a notice of discoveries or interrogatories		278.34

12.	On examination of a witness before an officer of the court for half an hour or part thereof		278.34
13.	On application for copies of notes of the judge or court proceedings for use on appeal or any other purpose per page or part thereof		66.67
14.	On sealing a praecipe for a writ of subpoena for each witness		83.34
15.	On sealing a writ of subpoena for each witness		83.34
16.	On filing an affidavit		30
17.	(a)	On personal general searches in the judgment register or in any other civil register for each name	66.67
	(b)	On personal general searches in the judgment register (for unspecified number of names in any one calendar year)	2778.3
	(c)	On a search for appearance or any other search (including inspection) not otherwise provided for	83.34
18.	On filing a certificate of urgency		166.67
19.	On sealing an order made in chambers		66.67
20.	On sealing or filing a writ of execution (including a warrant of attachment of property or earnings)		166.67
21.	On taking an account of monies received by a person liable to account for monies received, for every K5,000, or fraction thereof		66.67
22.	On certifying a document per page		83.34

23.	On commissioning an affidavit	83.34
24.	On filing a notice of taxation together with a bill of costs	166.67
25.	On filing a consent on agreed bill of costs	5% of the agreed cost
26.	On taxing fee on the bill of cost taxed	10% of the total sum allowed
27.	On filing bundles of documents together with the bill of costs	100
28.	On an application to register a judgment (including registration) where no fee is provided for by the Act providing for registration	278.34
29.	Notary Public per page	1000
30	On filing an application not specifically provided for	300
31	On filing consent not specifically provided for	278.34
32	On filing an interlocutory application not specifically provided for	278.34
33	On filing and sealing an Order of commitment	276.67
34	On filing a notice of payment into or out of court	83.34
35	On assisted drafting by Registrar	800

**Part II – Divorce and matrimonial causes**

No.	Item		Fee units
1.	(a)	On filing a Divorce petition (and the accompanying documents)	1223.33
	(b)	On filing a petition or cross petition	1223.33
2.	On filing an acknowledgment of service		113.33
3.	On filing a notice of intention to defend		113.33
4.	On filing a notice to withdraw consent to a decree being granted		276.67
5.	On filing an answer or a reply to a petition		300
6.	On filing a request for direction for trial		166.67
7.	On filing a summons for leave to file pleadings after direction for trial have been given		100
8.	On filing a notice for the rescission of a decree before a decree is made absolute		300
9.	On filing a notice of making a decree <i>nisi</i> absolute		300
10.	On filing an affidavit accounting for a delay to make a decree absolute		300
11.	On filing a certificate of decree absolute		300
12.	On filing an application for an ancillary relief		566.67
13.	On filing an application for leave to issue Judgment Summons		278.343

14.	On filing a Judgment Summons	300
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**Part III – Probate and letters of administration**

No.	Item		Fee units
1.2	On filing:		
	(a)	a declaration of the deceased's estate	166.67
	(b)	an oath of administration or executor	166.67
	(c)	an administration bond	166.67
	(d)	a citation	556.6
	(e)	an appearance to the citation	200
	On sealing a grant of probate or letters of administration		166.67
3.	On processing probate or letters of administration		366.67
4.	On filing an opposition to an application for a grant		200
5.	On an application for resealing a grant of probate or letters of administration		1223.33
6.	On sealing any order made in chambers		83.34
7.	On filing a notice to withdraw application for grant		300
8.	On filing certificate or affidavit of service		60
9.	On sealing order granting leave for extension of time within which to register a grant at the Lands and Deeds Registry		83.34
10.	On filing a certificate of exhibit of publication or other document		66.67

11.	On filing any motion not specifically provided for	300
12.	On filing and preserving a Will	483.34
13.	On withdrawing a Will	300
14.	On filing a Power of Attorney	300
15.	Personal general search for inspection in the register for a name or case record	66.67
16.	On filing a Third Party Notice	84
17.	On an application to review a grant of representation for purposes of registration	280
18.	On filing a certificate of agency	140
19.	On personal search for unspecified numbers of times in the Registry in a calendar year	2778
20.	On filing a notice not specifically provided	300
21.	On filing a notice of taxation and bill of costs	100
22.	Taxation fee on profit cost allowed is 10% of the profit cost allowed	

**Part IV – Adoptions**

No.	Item	Fee units
1.	On filing a petition for adoption	556.6
2.	On filing an affidavit in support	30
3.	On filing a consent to adoption order	66.67
4.	On sealing order appointing a Guardian-ad-litem	66.67
5.	On sealing an interim order of adoption or any order made in chambers	66.67
6.	On filing any summons or notice for purposes of interlocutory application	100
7.	On filing any application not specifically provided for	100
8.	On commissioning an affidavit	83.34
9.	On certifying a document as a true copy of the original per page	83.34
10.	On sealing a praecipe for a writ of subpoena for each witness	66.67
11.	On sealing a writ of subpoena for each witness	83.34

**Part V – Affiliation and maintenance of children**

No.	Item	Fee units
1.	On filing a summons for affiliation of a child	556.67
2.	On commissioning an affidavit	83.34
3.	On certifying document as a true copy of original per page	83.34
4.	On filing summons for maintenance of a child	556.67
5.	On filing a complaint	83.34
6.	On filing summons for custody or access to a child	166.67
7.	On filing summons for registration of order from Subordinate Court or other courts for enforcement	166.67
8.	On filing summons for variation of order	100
9.	On filing any summons not specifically provided for	100
10.	On filing any order not specifically provided for	83.34
11.	On sealing any order made in chambers	83.34

**Part VI – Appeals**

No.	Item	Fee units
1.	On filing application for leave to appeal	333.33
2.	On filing renewed application for leave to appeal to the Court	333.33
3.	On sealing order granting leave to appeal	166.67
4.	On filing record of appeal	333.33

M. Malila,  
Chief Justice