

LEGAL NOTICE No. 125

REPUBLIC OF TRINIDAD AND TOBAGO

THE SUPREME COURT OF JUDICATURE ACT, CHAP. 4:01

RULES OF COURT

MADE BY THE RULES COMMITTEE UNDER SECTIONS 77 TO 81 OF THE  
SUPREME COURT OF JUDICATURE ACT

THE MATRIMONIAL CAUSES (AMENDMENT)  
RULES, 1996

1. These Rules may be cited as the Matrimonial Causes Citation  
(Amendment) Rules, 1996.

2. The Matrimonial Causes Rules are amended—

Chap. 45:51  
amended

(a) by repealing rule 91(3) and substituting the following:

“ 91. (3) Where costs are fixed there shall be allowed as between party and party such of the following items as are applicable:

(a) in respect of instructing Attorneys' charges—

- (i) \$1,500.00 or, in a higher rate case, \$1,800.00;
- (ii) if the petitioner's attorney so requests, \$220.00 in respect of any ancillary application on which a consent order for maintenance has been made;
- (iii) \$75.00 in respect of any statement as to the arrangements for the children filed under rule 6(2);
- (iv) where an affidavit of means has been filed under rule 6(3), \$100.00; and
- (v) \$35.00 in respect of any certificate as to reconciliation filed under rule 10(2);

(b) in respect of counsel’s fees—

- (i) for settling the petition, \$200.00 or, in a higher rate case, \$250.00;
- (ii) for settling an affidavit of means filed under rule 6(3), \$125.00;
- (iii) for giving written advice on evidence \$175.00;
- (iv) with brief on hearing \$1,000.00; and
- (v) on conference, \$125.00;

(c) in respect of other disbursements—

- (i) the court fees paid on the petitioner’s behalf;
- (ii) such sums in respect of witnesses’ allowances, medical reports and the other disbursements as would have been allowed if the costs had been taxed, not exceeding, in the case of inquiry agents’ fees, the sum of \$1,000.00”; and

(b) by repealing the Second Schedule and substituting the following:

“SECOND SCHEDULE  
(COURT FEES)

	<i>Rule 89</i>
	\$
1. On filing an originating summons ... ..	35.00
2. On filing a petition except in cases to which rule 10(3) applies (including sealing, certifying and copying) ... ..	50.00
3. On filing an answer, reply or other pleading (including sealing, certifying and copying) ... ..	35.00
4. On the issue of a notice under rule 40 ... ..	35.00
5. On filing any other summons, application or notice, except where the terms of any agreement as to the order which the Court is to be asked to make are set out in the notice ... ..	10.00
6. On filing an affidavit ... ..	10.00
7. On filing a certificate, request in writing, or any other document ...	5.00
8. Copy of a medical report filed under rule 27(3), per page or part thereof	1.25

SECOND SCHEDULE—*Continued*

	<i>Rule 89</i>
	§
9. Copy of a report of a Welfare Officer (Probation) filed under rule 70(3) per page or part thereof ... ..	1.25
10. Sealed or office or photographic copy of a decree or order made in open court [rule 44(2)] ... ..	10.00
11. On a search in the index of decrees absolute kept under rule 50(2) ...	5.00
12. Certificate that a <i>decree nisi</i> has been made absolute [rule 50(3)] ...	10.00
13. Any other certificate under the hand of a Judge or the Registrar ...	10.00"

Made by the Rules Committee this 19th day of July, 1996.

M. DE LA BASTIDE  
*Chief Justice*

R. LAWRENCE MAHARAJ  
*Attorney General*

R. HAMEL-SMITH  
*Judge of the Court of Appeal*

S. McNICOLLS  
*Registrar, Supreme Court*

C. BEST  
*Judge of the High Court*

R. NELSON  
*Attorney-at-law*

R. DOYLE  
*Master of the High Court*

D. A. GURLEY  
*Attorney-at-law*

Laid in the House of Representatives this 2nd day of August, 1996.

J. SAMPSON  
*Clerk of the House*

Laid in the Senate this 30th day of July, 1996

N. COX  
*Clerk of the Senate*