



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

COURT FEES ACT FEES REGULATIONS

PLEASE NOTE

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This document is *not* the official version of these regulations. The regulations and the amendments printed in the *Royal Gazette* should be consulted on the Prince Edward Island Government web site to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the *Table of Regulations* on the Prince Edward Island Government web site (www.princeedwardisland.ca).

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COURT FEES ACT
Chapter C-27.001

FEES REGULATIONS

Pursuant to section 4 of the *Court Fees Act* R.S.P.E.I. 1988, Cap. C-27.001, Council made the following regulations:

1. Fees payable

The fees payable in the Court of Appeal and Supreme Court are as set out in Schedule 1. (EC446/12)

2. Idem

The fees payable for criminal court matters in the Court of Appeal, Supreme Court and Provincial Court are as set out in Schedule 2. (EC446/12)

3. Deposit

The deposit for a jury trial is as set out in Schedule 3. (EC446/12)

4. Fees

The fees for the services performed by a sheriff are as set out in Schedule 4. (EC446/12)

5. Fees and allowances

The fees and allowances payable to Crown witnesses and jurors are as set out in Schedule 5. (EC446/12)

SCHEDULE 1

1. In the Supreme Court and the Court of Appeal, the following fees are payable, except in respect of proceedings to which sections 2 and 3 apply:

	ACTION OR STAGE IN PROCEEDING	FEE
1.	On the issue of	
	i. Statement of claim or notice of action	\$100
	ii. Notice of application or petition	100
	iii. Third or subsequent party claim	100
	iv. Statement of defence and counterclaim adding a party	100
	v. Summons to a witness	20
	vi. Certificate	20
	vii. Commission	40
	viii. Writ of execution	100
	ix. Notice of garnishment (including the filing of the notice with the Sheriff)	100
2.	On the signing of:	
	i. Order directing a reference	100
	ii. Notice of appointment for the assessment of party and party costs	100
	iii. Certificate of marriage	200
	iv. An appointment of a Commissioner	25
3.	On the filing of	
	i. Notice of intent to defend	50
	ii. Statement of defence where no notice of intent to defend or answer has been filed by the same party	50
	iii. Notice of appearance	50
	iv. Notice of motion served on another party, a notice of motion without notice, a notice of motion for a consent order or a notice of motion for leave to appeal	50
	v. Requisition, including signing of default judgment by registrar	50
	vi. Trial record, for the first time only	200
	vii. Notice of appeal from an interlocutory order	50
	viii. Notice of appeal to an appellate court of a final order of any court or tribunal	100
	ix. Jury notice in a civil proceeding	100
	x. Order of an administrative tribunal where no minute of judgment is attached	50
4.	For obtaining an appointment with the Prothonotary for settlement of an order	100
5.	For perfecting an appeal	100

	ACTION OR STAGE IN PROCEEDING	FEE
6.	For the making up and forwarding of papers, documents and exhibits	\$1 per page to a max. of \$100
7.	For making copies of documents	
	i. Not requiring certification:	
	1-5 pages	5
	6-10 pages	10
	11-15 pages	15
	16-20 pages	20
	21-30 pages	25
	31-40 pages	30
	41-50 pages	35
	51 or more	40
	ii. Requiring certification	
	1-5 pages	10
	6-10 pages	15
	11-15 pages	20
	16-20 pages	25
	21-30 pages	30
	31-40 pages	35
	41-50 pages	40
	51 or more	45
8.	For the inspection of a court file	
	i. By a solicitor or party in the proceeding	Nil
	ii. By a person who has entered into an agreement with the Attorney General for the bulk inspection of court files, per file	5
	iii. By any other person, per file	20
9.	For the retrieval from storage of a court file	50
10.	For the taking of an affidavit or declaration by a commissioner for taking affidavits	10
11.	For the making of a copy of a recorded proceeding	20
12.	For filing or renewing a minute of judgment	50
13.	For a judgment search	
	i. per person	4
	ii. per case listing	3



2. The following fees are payable in respect of proceedings in the Family Section:

	ACTION OR STAGE IN PROCEEDING	FEE
1.	Petition for divorce	\$100
2.	On the filing on an answer, other than an answer referred to in item 3 or reply	50
3.	On the filing on an answer where the answer includes a request for a divorce by a respondent or counter-petition	50

3. The following fees are payable in respect of proceedings in the Small Claims Section:

	ACTION OR STAGE IN PROCEEDING	FEE
1.	Filing of a claim	\$ 50
2.	Filing of a defendant's claim	50
3.	Filing a notice of motion served on another party, a notice of motion without notice or a notice of motion for a consent order	40
4.	Filing a defence	25
5.	Issuing a summons to witness	10
6.	Issuing a certificate of judgment	25
7.	Issuing a writ of delivery, a writ of seizure and sale	50
8.	Issuing a notice of garnishment	50
9.	Entering of a default judgment	20

(EC446/12)

SCHEDULE 2**CRIMINAL COURT MATTERS**

1. The following fees are payable in the Court of Appeal, Supreme Court and Provincial Court:

	MATTER	FEE
1.	For a criminal conviction search	\$ 20
2.	For each certificate of conviction	20
3.	For completion of an application for a record suspension (pardon)	100
4.	For the making of a copy of a recorded proceeding	20

(EC446/12)

SCHEDULE 3**JURY TRIAL**

1. Subject to the provisions of the *Jury Act*, in the Supreme Court, the party filing a jury notice shall deposit a fee of not less than \$2,000 with the Registrar at least 30 days prior to the trial date.

(EC446/12)



SCHEDULE 4**SHERIFF'S FEES**

1. (1) The following fees and costs are payable for services performed by a sheriff:

	SERVICE	FEE
1.	For up to three attempts, whether or not successful, to serve a claim, third party claim, summons to witness, notice of examination or notice of garnishment, issued out of another jurisdiction, for each person to be served at the same address	\$125 plus \$10 notary fee and mileage at the rates referred to in subsection (2)
2.	The execution of an enforcement order under Rule 60 or 74 of the Rules of Court, or a seizure under a written authorization to act as agent	\$100 plus 10% on the amount realized, mileage at the rates referred to in subsection (2), and all reasonable expenses and disbursements necessarily incurred including, without limitation, fees for towing, appraisals and storage
3.	Enforcing an eviction order	\$125 plus mileage at the rates referred to in subsection (2)
4.	Booking fee for a mortgage sale or tax sale	100
5.	Conducting a mortgage sale or tax sale	150
6.	Conducting a judgment debtor exam	75

(2) Travel costs pertaining to services performed by a sheriff shall be charged at the same rates as those specified from time to time by the Treasury Board.

(3) The hourly rate charged for each sheriff performing services, in addition to the fees set out in subsection (1), shall be \$50.

(EC446/12)

SCHEDULE 5**FEES AND ALLOWANCES TO CROWN WITNESSES AND JURORS**

1. In the Supreme Court and Provincial Court, the following fees and allowances are payable to crown witnesses and jurors:

	ACTION	FEE or ALLOWANCE
1.	For attendance in court, per one-half day	\$ 25
2.	For travel to court, in addition to the fee set out in item 1:	
	(i) within city or town limits,	6
	(ii) within province per kilometre.	0.24
3.	For travel to court from outside province	reasonable traveling expenses actually incurred, but not exceeding the equivalent of the guidelines and amounts set out in the Treasury Board Travel Regulations and Policies respecting out-of-province travel

(EC446/12)

