



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

COURT FEES ACT

PLEASE NOTE

This document, prepared by the *Legislative Counsel Office*, is an office consolidation of this Act, current to September 1, 2012. It is intended for information and reference purposes only.

This document is *not* the official version of the Act. The Act and the amendments as printed under the authority of the King's Printer for the province should be consulted to determine the authoritative statement of the law.

For more information concerning the history of this Act, please see the *Table of Public Acts* on the Prince Edward Island Government web site (www.princeedwardisland.ca).

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COURT FEES ACT

CHAPTER C-27.001

1. Definitions

In this Act,

- (a) “**Court of Appeal**” means the Prince Edward Island Court of Appeal;
- (b) “**Provincial Court**” means the Provincial Court of Prince Edward Island;
- (c) “**Registrar**” means the Registrar of the Court of Appeal and the Supreme Court, and includes a deputy registrar of the Court of Appeal or the Supreme Court;
- (d) “**Supreme Court**” means the Supreme Court of Prince Edward Island. *2004,c.2,s.1; 2012,c.10,s.1.*

1.1 Application of Act

This Act does not apply to the *Probate Act* R.S.P.E.I. 1988, Cap. P-21 or the *Summary Proceedings Act* R.S.P.E.I. 1988, Cap. S-9. *2012,c.10,s.2.*

2. Fees payable to Provincial Treasurer

The prescribed fees payable to and received by the Supreme Court, the Court of Appeal or the Registrar under the regulations shall be paid to the Provincial Treasurer. *2004,c.2,s.2; 2012,c.10,s.3.*

3. Jury fees, witness fees

In an action before the Supreme Court, the Supreme Court may order a party to the action to pay the prescribed

- (a) witness fees; and
- (b) jury fees. *2004,c.2,s.3.*

4. Regulations

The Lieutenant Governor in Council may make such regulations as are considered necessary and advisable for carrying out the purposes and provisions of this Act, and, without limiting the generality thereof, may make regulations

- (a) respecting the fees payable for filings, services, facilities and items provided in or by the Supreme Court, the Court of Appeal or the Registrar;
- (b) respecting the collection by the Supreme Court or the Provincial Court of fines imposed by municipalities, including the charge payable by a municipality to the government for the collection of such fines;

- (c) respecting the waiver or reduction of any fee otherwise payable under the regulations, including prescribing the circumstances under which the fee may be waived or reduced and authorizing a person or a class of persons to waive or reduce the fee;
- (d) respecting changes to costs, fees and allowances otherwise payable or prescribing other costs, fees and allowances;
- (e) authorizing a person or a class of persons to determine the costs, fees and allowances or the circumstances in which additional costs, fees and allowances shall be paid;
- (f) determining the responsibility for payment of new or additional costs, fees and allowances;
- (g) respecting the fee or allowance payable to a witness;
- (h) respecting the fee or allowance payable to a juror;
- (i) respecting the fee or allowance payable to an interpreter;
- (j) respecting the method of paying witnesses, jurors and interpreters;
- (j.1) respecting the fees payable to the sheriff appointed under subsection 2(1) of the *Sheriffs Act* R.S.P.E.I. 1988, Cap. S-4.1 for services performed by the sheriff pursuant to that Act;
- (k) designating a person or a class of persons to whom fees and allowances may be paid; and
- (l) respecting the fees and allowances to be paid to a person or a class of persons designated by the regulations and the method of paying those persons or classes of persons. *2004, c.2, s.4; 2012, c.10, s.4.*

CONSEQUENTIAL AMENDMENTS

4.1 Consequential Amendments

Sections 4.1 to 4.12 make consequential amendments to other Acts. The amendments have been incorporated into those Acts.