

CAYMAN ISLANDS



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THE COURT FEES (AMENDMENT) (NO. 2) RULES, 2013

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The Rules are made by the Grand Court Rules Committee (with the approval of the Governor in Cabinet) pursuant to Section 19(3)(c) of the Grand Court Law (2008 Revision)

1. Citation, Commencement and Interpretation

- (1) These Rules shall be cited as the Court Fees (Amendment) (No. 2) Rules, 2013.
- (2) These Rules shall come in operation with retroactive effect from the 1st day of May 2013, referred to as the "Commencement Date".
- (3) These Rules shall apply to every request for a special hearing agreed on or after the Commencement Date.
- (4) Words and expressions used in these Rules which are also used in the Court Fees Rules 2009 (referred to as "the principal rules") shall have the same meaning in these Rules as in the principal rules.

2. The principal rules shall be amended by adding a new Rule 5B as follows –

5B. Special Hearings (Grand Court) (Financial Services Division)

- (1) The fees prescribed in Part E of the First Schedule shall be payable by a party (or parties) who request a special hearing in the Financial Services Division which would require, as determined by the Court and with the approval of the Chief Justice, the urgent and supernumerary appointment of a Judge of that Division.
- (2) When listing a special hearing in accordance with this Rule, the amount payable in respect of court hearing fees shall be provisionally assessed on the basis of the estimated length of the hearing.
- (3) In the event that the actual length of the hearing is more than the estimated length, the party (or parties) liable to pay the hearing fee shall pay the additional amount due as soon as reasonably possible or within 5 working days after the conclusion of the hearing.
- (4) In the event that the actual length of the hearing is less than the estimated length, the party (or parties) liable for payment of the fees shall not be entitled to reimbursement of the amount paid save that the Court, in its discretion, may order reimbursement of whatever amount it considers appropriate where the actual costs incurred are less than the fees paid.

3. **Addition of Part E to the First Schedule**

The principal rules shall be amended by adding a new Part E to the First Schedule as follows –

Part E

Upon the listing of a special hearing in accordance with Rule 5B, \$2,500.00 for each day or part thereof (inclusive of reading and judgment writing days).

MADE by the Grand Court Rules Committee on the 7th day of May 2013.

The Honourable Anthony Smellie QC, Chief Justice

The Honourable Sam Bulgin QC, Attorney General