

CAYMAN ISLANDS



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THE GRAND COURT (TAXATION OF COSTS) RULES 1995

THE GRAND COURT LAW (1995 REVISION)

THE GRAND COURT (TAXATION OF COSTS) RULES 1995

These Rules are made by the Rules Committee pursuant to Section 19(3)(d) of the Grand Court Law (1995 Revision).

1. Citation, commencement and interpretation

- (1) These Rules shall be cited as the Grand Court (Taxation of Costs) Rules 1995.
- (2)
 - (a) These Rules shall come into operation on the 1st day of June, 1995, referred to in these rules as the "Commencement Date".
 - (b) These Rules shall apply to every proceeding which is pending or commenced in the Court on or after the Commencement Date.
- (3) Words and expressions used in these Rules which are also used in the Grand Court Rules 1995 shall have the same meaning in these Rules as in the Grand Court Rules 1995.

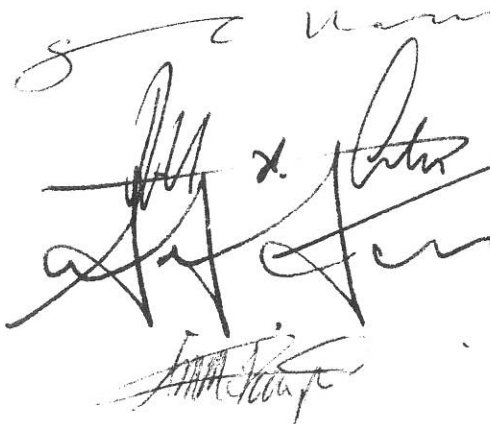
2. Inter partes orders for costs

Whenever the Court makes an inter partes order for costs to be taxed, the amount of advocates' fees and costs shall be determined in accordance with the scales contained in the Schedule hereto.

3. Costs payable out of a fund

Whenever the Court makes an order for costs to be paid out of a fund on an indemnity basis, the scale contained in the Schedule hereto shall have no application and all fees and disbursements shall be allowed except insofar as they are of an unreasonable amount or have been unreasonably incurred and any doubts which the Taxing Officer may have as to whether the costs were reasonably incurred or were reasonable in amount shall be resolved in favour of the party entitled to be paid.

MADE by the Rules Committee on the 1st day of May, 1995.



The Hon. George Harre,
Chief Justice

The Hon. Richard Coles
Attorney General

Andrew J. Jones, Esq.
Legal Practitioner

Alden M. McLaughlin, Esq.
Legal Practitioner

SCHEDULE

Instructions to sue or defend in the Grand Court or at the discretion of the Taxing Officer	minimum \$100
For attendance taking judgment where not contested	\$ 15
For attendance in Court when the case is called and adjourned	\$ 10
For attorney-at-law being a junior, in cases in the Grand Court,	
Brief fee	\$150
Refresher per day	\$100
For one of Her Majesty's Counsel in case in the Grand Court,	
Brief fee	\$210
Refresher per day	\$140
For attendance in the Grand Court at the hearing of an undefended divorce case	\$ 70
For attendance in chambers, at half the above daily rates	
Every necessary attendance in and about the client's business in cases in the Grand Court, per hour or part of an hour	\$ 20
Drawing and preparing any brief, affidavit, summons, petition, account, notice, order or proceeding, not herein otherwise provided, per page	\$ 5
Copies of evidence and documents, per page	50c
Attendance on taxation of costs in the Grand Court	\$ 40

EXPLANATORY NOTE

Rule 2 is intended to re-enact Section 30(1) and Schedule "B" of the Judicature Law (Revised) as it related to the taxation of inter partes orders for costs made by the Grand Court.

The scale contained in the Schedule to these Rules reproduces the relevant part of the scale contained in Schedule "B" without amendment except as regards photocopying charges.

Rule 3 is intended to re-state the current practice of the Grand Court in relation to the taxation of costs ordered to be paid out of a fund on an indemnity basis.

This is intended to be a temporary continuation of the existing rules relating to the taxation of costs pending a comprehensive review of this subject by the Rules Committee.