



**Tuvalu**

# **LANDS COURTS (FEES) REGULATIONS**

**L.N 30/72**





Tuvalu

## LANDS COURTS (FEES) REGULATIONS

### Arrangement of Sections

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Tuvalu

## LANDS COURTS (FEES) REGULATIONS

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### NATIVE LANDS ORDINANCE

ENACTED BY THE PARLIAMENT OF TUVALU

Commencement [Date]

1. These Regulations may be cited as the Lands Courts (Fees) Regulations.
2. The fees payable in respect of the matters specified in the Schedule shall be as therein prescribed.
3. Subject to these Regulations, such of the prescribed fees as are payable in a cause or proceeding shall be paid by the party concerned.
4. A court or the president of a court may on account of the poverty of any person order the waiver, reduction or refund of any fee.
5.
  - (1) In the case of the determination of boundary —
    - (a) if the boundary claimed by one of the parties is found to be correct the other party or parties shall be ordered by the court to pay the prescribed fee or equal parts thereof;
    - (b) if none of the boundaries claimed by the parties is found to be correct each party shall be ordered by the court to pay an equal part of the prescribed fee.
  - (2) For the purpose of giving effect to an order under paragraph (1) the court may further order the refund either in whole or in part of any fee which has already been paid.

6. Whenever a cause, proceeding or other matter is commenced or arises on a court's own motion the court may order payment of the appropriate prescribed fee by any person who has an interest therein or where there is more than 1 such person by all these persons in equal parts.

7.

- (1) Every person ordered by a court under these Regulations to pay a fee or part of a fee shall comply with that order within 14 days or within 14 days of the determination of an appeal arising out of proceedings in which the order was made.
- (2) Any person who wilfully contravenes paragraph (1) shall be liable to a fine of \$50 and to imprisonment for 3 months.

8.

- (1) If any person fails to comply with regulation 7 (1) payment of the amount of the fee or part of the fee may be enforced as if judgement for the payment of that amount to the registrar of the court concerned had been given against that person by a magistrate's court or an island court exercising jurisdiction in the island or other place in which the lands court is established.
- (2) A prosecution for an offence under regulation 7 shall not in any way be a bar to the enforcement of payment under this regulation

**SCHEDULE***(Regulation 2)***PART I - ADMINISTRATION AND PARTITION OF ESTATES**

	\$	c.
1. For the non-contentious administration and partition of an estate.....	40	
2. For the administration and partition of an estate where the claimants are not in agreement.....	1	00

**PART II - BOUNDARY DETERMINATIONS**

1. For the determination of a boundary.....	2	00
2. For the confirmation of a boundary.....		75

**PART III - REGISTRATION AND INSPECTION OF REGISTERS**

1. For every entry in a register (unless a fee has already been paid in respect of any proceedings in consequence of which the entry is made in which case no fee shall be payable).....		75
2. For each certified true copy of a folio in a register.....		30
3. For an inspection of a register by a member of the public.....		10
4. For a search of a register by the registrar.....		10

**PART IV - APPEALS**

1. For an appeal against a boundary determination .....	2	00
2. For an appeal against any other determination or judgment .....	1	00

**PART V - MISCELLANEOUS**

1. For all causes or proceedings not otherwise referred to in this Schedule.....		75
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**ENDNOTES****Table of Legislation History**

<b>Legislation</b>	<b>Year and No</b>	<b>Commencement</b>

**Table of Renumbered Provisions**

<b>Original</b>	<b>Current</b>

**Table of Endnote References**