



Jersey

## ROYAL COURT AND STAMP DUTIES AND FEES (JERSEY) AMENDMENT LAW 202-

### Contents

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#### Article

1	Royal Court (Jersey) Law 1948 Articles 8A and 8B inserted.....	2
2	Stamp Duties and Fees (Jersey) Law 1998 amended .....	3
3	Repeal of Loi (1938) sur les honoraires des Jurés-Justiciers .....	4
4	Citation and commencement.....	4

#### SCHEDULE

**5**

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SCHEDULES AMENDED		5
1	Schedule 1 (judicial fees) amended.....	5
2	Schedule 2 (fees in matrimonial and civil partnership proceedings) amended.....	7
3	Schedule 3 (probate fees) amended .....	7



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## ROYAL COURT AND STAMP DUTIES AND FEES (JERSEY) AMENDMENT LAW 202-

A LAW to amend the [Royal Court \(Jersey\) Law 1948](#) to make new provisions for the remuneration and expenses of Jurats and the [Stamp Duties and Fees \(Jersey\) Law 1998](#) to increase court fees and to make other amendments to that Law.

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<i>Adopted by the States</i>	<i>12 November 2024</i>
<i>Sanctioned by Order of His Majesty in Council</i>	<i>[date to be inserted]</i>
<i>Registered by the Royal Court</i>	<i>[date to be inserted]</i>
<i>Coming into force</i>	<i>[date to be inserted]</i>

**THE STATES**, subject to the sanction of His Most Excellent Majesty in Council, have adopted the following Law –

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### 1 [Royal Court \(Jersey\) Law 1948](#) Articles 8A and 8B inserted

After Article 8 of the [Royal Court \(Jersey\) Law 1948](#) there is inserted –

#### **“8A Jurats’ honorarium**

- (1) The Bailiff must distribute the whole of an annual sum, known as the Jurats’ honorarium, of an amount agreed by the Minister for Treasury and Resources, amongst the Jurats each calendar year –
  - (a) at whatever times that the Bailiff considers appropriate; and
  - (b) as the Bailiff considers appropriate in the particular circumstances, including the length of service by each Jurat during that year.
- (2) The Bailiff must review the Jurats’ honorarium annually, having regard to the percentage change, if any, in the RPI during the previous calendar year and if the Bailiff considers it appropriate after consulting the Minister for Treasury and Resources, the amount of the honorarium may be varied.
- (3) In this Article “RPI” means the means the Retail Prices Index published by the Office of the Chief Statistician constituted under Article 5(1) of the [Statistics and Census \(Jersey\) Law 2018](#).

**8B Jurats' stamps: transitional provision**

- (1) Any Jurats' stamps issued by the Treasurer of the States under Article 1(2) of the [Loi \(1938\) sur les honoraires des Jurés-Justiciers](#) that have not been affixed to a chargeable document (within the meaning of that Loi) before the commencement of the Royal Court and Stamp Duties and Fees (Jersey) Amendment Law 202- (the "Amendment Law") –
  - (a) during the 3 months following that commencement –
    - (i) remain valid for affixing to a chargeable document, or
    - (ii) if not so affixed or if the document is not used, may be returned to the Judicial Greffe in return for a refund by the Treasurer of the States of the amount paid for them; or
  - (b) may be destroyed or preserved according to the direction of the Treasurer of the States.
- (2) This Article expires 3 months after the day on which the Amendment Law commences.”.

**2 [Stamp Duties and Fees \(Jersey\) Law 1998](#) amended**

- (1) This Article amends the [Stamp Duties and Fees \(Jersey\) Law 1998](#).
- (2) In Article 1 (interpretation) –
  - (a) for the definition “chargeable document” there is substituted –

“ “chargeable document” means a document in respect of which stamp duty is payable in accordance with Article 2 and a Schedule;”;
  - (b) in the definition “designated officer”, for “fourth column of the Schedule” there is substituted “final column of a table in a Schedule”;
  - (c) for the definition “stamp” there is substituted –

“ “stamp” means a receipt issued in return for the payment of stamp duty;”;
  - (d) in the definition “stamp duty”, for “the Schedule” there is substituted “a Schedule”.
- (3) For Article 9(2) (refund of stamp duty) there is substituted –

“(2) No refund may be made –

  - (a) in respect of a *billet* which has been *cassé*; or
  - (b) in respect of stamp duty paid in accordance with items 2, 4, 4A, 5, 7, 11, 17, 18, 27, 28, 30, 31, 35, 35A, 36, 38, 40A, 42 and 47 in paragraph 3 (tables of judicial fees) of Schedule 1 regardless of whether a hearing ever takes place.
- (3) Despite paragraph (2)(b), if on the application of the person who has paid the stamp duty within 12 months of the payment, the designated officer considers that the particular circumstances would make it just to do so, that officer may reduce or remit the whole or part of that duty.
- (4) Despite Article 10, the decision of the designated officer under paragraph (3) is final.”.
- (4) In Article 10(2) (determinations and appeals) after “Article 6” there is inserted “and Article 9(4)”.

- (5) Article 12A (transitional provision) is deleted.
- (6) The Schedules are amended in accordance with the Schedule to this Law.

**3 Repeal of [Loi \(1938\) sur les honoraires des Jurés-Justiciers](#)**

The [Loi \(1938\) sur les honoraires des Jurés-Justiciers](#) is repealed.

**4 Citation and commencement**

This Law may be cited as the Royal Court and Stamp Duties and Fees (Jersey) Amendment Law 202- and comes into force on a day to be specified by the Minister for Treasury and Resources by Order.

## SCHEDULE

(Article 2(6))

### SCHEDULES AMENDED

#### 1 Schedule 1 (judicial fees) amended

(1) In paragraph 1 of Schedule 1 (lettered rates), for sub-paragraphs (a) to (p) there is substituted –

- “(a) by rate A, £2;
- (b) by rate B, £18;
- (c) by rate C, £43;
- (d) by rate D, £52;
- (e) by rate E, £75;
- (f) by rate F, £104;
- (g) by rate G, £151;
- (h) by rate H, £191;
- (i) by rate I, £255;
- (j) by rate J, £383;
- (k) by rate K, £464;
- (l) by rate L, £638;
- (m) by rate M, £870;
- (n) by rate N, £1,160;
- (o) by rate O, £1,450;
- (p) by rate P, £1,740;
- (q) by rate Q, £5,000.”.

(2) In paragraph 3 (tables of judicial fees) –

(a) in item 1 (acknowledgement of debt on table or *au Greffe*) of the table –

- (i) in paragraphs (ba)(i), (ii)(I) and (d) for “rate F” in the third column there is substituted “£90”,
- (ii) in the proviso to paragraph (d), in sub-paragraph (A) for “rate F” there is substituted “£90”;

(b) in item 2 (actions) of the table –

- (i) in paragraph (2)(a)(ii) after “£2 million” there is inserted “but does not exceed £10 million”,
- (ii) after the row including paragraph (2)(a)(ii) there is inserted –

	“(iii) where the value of the claim or the value of the assets affected by the claim exceeds £10 million	rate Q	Billet or application	Greffier”,
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(iii) in paragraph (2)(d)(ii) after “£2 million” there is inserted “but does not exceed £10 million”,

(iv) after the row including paragraph (2)(d)(ii) there is inserted –

	“(iii) where the value of the claim or the value of the assets affected by the claim exceeds £10 million	rate Q	Application	Greffier”,
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(v) in paragraph (2)(e)(vi) after “£2 million” there is inserted “but does not exceed £10 million”,

(vi) after the row including paragraph (2)(e)(vi) there is inserted –

	“(vii) where the value of the claim or the value of the assets affected by the claim exceeds £10 million	rate Q	<i>Billet</i> or application	Greffier”;
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(c) in item 13 (contracts) in paragraphs (d1), (q), (t) and (u) for “rate F” in the third column there is substituted “£90”;

(d) in item 31 (orders of justice and provisional orders) –

(i) in paragraph (a)(ii) after “£2 million” there is inserted “but does not exceed £10 million”,

(ii) after the row including paragraph (a)(ii) there is inserted –

	“(iii) where the value of the claim or the value of the assets affected by the claim exceeds £10 million	rate Q	Order of justice	Bailiff”,
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(iii) in paragraph (b)(i)(B) after “£2 million” there is inserted “but does not exceed £10 million”,

(iv) after the row including paragraph (b)(i)(B) there is inserted –

	“(C) where the value of the claim or the value of the assets affected by the claim exceeds £10 million	rate Q	Provisional order	Bailiff”;
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(e) in item 36 (remonstrance, representation or *doléance*) –

(i) in paragraph (a)(ii) after “£2 million” there is inserted “but does not exceed £10 million”,

(ii) after the row including paragraph (a)(ii) there is inserted –

	“(iii) where the value of the assets affected by the remonstrance, representation or <i>doléance</i> exceeds £10 million	rate Q	Remonstrance, representation or <i>doléance</i>	Greffier”,
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(iii) in paragraph (b)(ii) after “£2 million” there is inserted “but does not exceed £10 million”,

(iv) after the row including paragraph (b)(ii) there is inserted –

	“(iii) where the value of the assets affected by the remonstrance, representation or <i>doléance</i> exceeds £10 million	rate Q	Remonstrance, representation or <i>doléance</i>	Greffier”.
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## 2 Schedule 2 (fees in matrimonial and civil partnership proceedings) amended

In paragraph 1 of Schedule 2 (lettered rates), for sub-paragraphs (a) to (m) there is substituted –

- (a) by rate A, £1;
- (b) by rate B, £20;
- (c) by rate C, £40;
- (d) by rate D, £54;
- (e) by rate E, £80;
- (f) by rate F, £107;
- (g) by rate G, £161;
- (h) by rate H, £201;
- (i) by rate I, £268;
- (j) by rate J, £402;
- (k) by rate K, £482;
- (l) by rate L, £670;
- (m) by rate M, £2,010.

## 3 Schedule 3 (probate fees) amended

In paragraph 1 of Schedule 3 (lettered rates), for sub-paragraphs (a) to (m) there is substituted –

- (a) by rate A, £1;
- (b) by rate B, £20;
- (c) by rate C, £40;
- (d) by rate D, £54;
- (e) by rate E, £80;
- (f) by rate F, £107;
- (g) by rate G, £161;
- (h) by rate H, £201;
- (i) by rate I, £268;
- (j) by rate J, £402;
- (k) by rate K, £482;
- (l) by rate L, £670;

(m) by rate M, £2,010.