

I certify that this is a copy of the authorised version of this Statutory Rule as at 23 December 2015, and that it incorporates all amendments, if any, made before and in force as at that date and any reprint changes made under any Act, in force before the commencement of the *Legislation Publication Act 1996*, authorising the reprint of Acts and statutory rules or permitted under the *Legislation Publication Act 1996* and made before 23 December 2015.

K Woodward  
Chief Parliamentary Counsel  
Dated 14 June 2024

## TASMANIA

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# **CIVIL PROCESS (TABLE OF FEES FOR EXECUTION) RULES 1991**

## **STATUTORY RULES 1991, No. 188**

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# **CIVIL PROCESS (TABLE OF FEES FOR EXECUTION) RULES 1991**

IN THE SUPREME COURT OF TASMANIA

Dated 14 October 1991.

We, the Honourable Sir Guy Stephen Montagu Green, Knight Commander of the Most Excellent Order of the British Empire, Chief Justice, the Honourable William John Ellis Cox, the Honourable Peter George Underwood and the Honourable Ewan Charles Crawford, Puisne Judges of the Supreme Court of Tasmania, on the recommendation of the Rule Committee, hereby make the following Rules under the *Civil Process Act 1870*.

## **1. Short title**

These rules may be cited as the *Civil Process (Table of Fees for Execution) Rules 1991*.

## **2. Commencement**

These rules take effect on the day on which their making is notified in the *Gazette*.

## **3. Application of table**

The table of fees set out in Schedule 1 applies to proceedings whether those proceedings have commenced before or commence after these rules take effect.

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**4. Table of fees**

For the purposes of section 2 of the *Civil Process Act 1870*, the table of fees set out in Schedule 1 is the table of fees to be paid to the Sheriff and any other officer of the Sheriff concerned in the execution of civil process.

**5. Fees not to be received for own use**

The Sheriff or any other officer of the Sheriff shall not receive or retain for personal use any fee specified in the table of fees set out in Schedule 1.

**6. Revocation**

The table of fees and the general rule made under the *Civil Process Act 1870* (being Statutory Rules 1984, No. 245) is revoked.

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**SCHEDULE 1 – TABLE OF FEES FOR EXECUTION  
OF CIVIL PROCESS**

		\$
1.	For each warrant issued by the Sheriff or any deputy of the Sheriff –	
	(a) in respect of debts not exceeding \$20 000	100.00
	(b) in respect of debts exceeding \$20 000	200.00
2.	Travelling expenses necessarily incurred by the Sheriff in connection with the execution of civil process –	
	(a) using the most usual mode of transport; or	Actual cost
	(b) if a motor vehicle is used, for each kilometre	0.70
3.	For each sale by auction, 5% on amount realized if it does not exceed \$1 000 and 2.5% on all sums exceeding that amount	Actual cost
4.	For each person necessarily employed to assist with any execution or sale	Actual cost
5.	For service of each document in connection with the execution of civil process	55.00
6.	For other necessary expenses of the Sheriff or any officer of the Sheriff in connection with the execution of civil process	Actual cost

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		\$
7.	For a levy or seizure by the Sheriff –	
	(a) in respect of a debt not exceeding \$20 000	\$310
	(b) in respect of a debt exceeding \$20 000	\$620
	(c) in respect of a writ of execution that is otherwise than in respect of a debt	\$620

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G. S. M. GREEN  
Chief Justice

W. J. E. COX  
Puisne Judge

P. G. UNDERWOOD  
Puisne Judge

E. C. CRAWFORD  
Puisne Judge

Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 23 October 1991.

These rules are administered in the Department of Justice.

**NOTES**

The foregoing text of the *Civil Process (Table of Fees for Execution) Rules 1991* comprises those instruments as indicated in the following table. Any reprint changes made under any Act, in force before the commencement of the *Legislation Publication Act 1996*, authorising the reprint of Acts and statutory rules or permitted under the *Legislation Publication Act 1996* and made before 23 December 2015 are not specifically referred to in the following table of amendments.

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Citation	Serial Number	Date of commencement
<i>Civil Process (Table of Fees for Execution) Rules 1991</i>	S.R. 1991, No. 188	23.10.1991
<i>Civil Process (Table of Fees for Execution) Amendment Rules 1997</i>	S.R. 1997, No. 97	16.7.1997
<i>Civil Process (Table of Fees for Execution) Amendment Rules 2008</i>	S.R. 2008, No. 44	4.6.2008
<i>Civil Process (Table of Fees for Execution) Amendment Rules 2012</i>	S.R. 2012, No. 56	1.8.2012
<i>Civil Process (Table of Fees for Execution) Amendment Rules 2015</i>	S.R. 2015, No. 90	23.12.2015

**TABLE OF AMENDMENTS**

Provision affected	How affected
Schedule 1	Amended by S.R. 1997, No. 97, S.R. 2008, No. 44, S.R. 2012, No. 56 and S.R. 2015, No. 90