

Customary Law and Local Courts (Amendment) Rules, 2019 (No. 9)

IT is hereby notified that the Minister of Justice, Legal and Parliamentary Affairs has, in terms of section 30 of the Customary Law and Local Courts Act [*Chapter 7:05*], made the following rules: —

1. These regulations may be cited as the Customary Law and Local Courts (Amendment) Rules, 2019 (No. 9).

2. The Second and Third Schedules to Customary Law and Local Courts Rules, 1991, published in Statutory Instrument 115 of 1991, are repealed and substituted by the following —

“SECOND SCHEDULE (*Sections 3, 5 and 11*)

FEES

Item	Description	Fee (Z\$)
1.	Court fee to be paid on commencement of case:	
	(a) where summons issued	20,00
	(b) where no summons issued	20,00
2.	Fees for noting an appeal from judgment of local court	15,00
	Tariff for Messenger of Local Court fees and charges:	
3.	(a) court fee to be paid for execution of judgment	15,00
	(b) fees for an attempted execution of judgment	15,00
	(c) fees for removal and storage of goods	50,00

THIRD SCHEDULE (*Section 16*)

DISBURSEMENT OF FEES

1. The fee paid a by a plaintiff in terms of rule 3 on the commencement of his or her case shall be disbursed as follows:
 - (a) to the person presiding over the local court Z\$ 10,00
 - (b) to each assessor Z\$ 5,00
 - (c) to the Messenger of Court where he or she serves a summons Z\$ 3,00.
2. The fee paid for noting an appeal from the judgment of a Community Court to the Magistrates Court is paid into the Revenue Account at the Magistrates Court that will hear the appeal.

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3. The fee paid for noting an appeal from the judgment of a Primary Court to the Community Court is disbursed as in paragraph 1 above.
4. The fees paid for the execution, attempted execution or removal and storage of goods are paid to the Messenger of Court by the successful party who recovers them from the unsuccessful party if he or she was granted costs of suit at the judgment stage.”.

3. The Customary Law and Local Courts (Amendment) Rules, 2009 (No. 8), published in Statutory Instrument 133 of 2009, are repealed.

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