

## GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 68 OF 2005

**The High Court Act**  
(Laws, Volume 3, Cap. 27)**The High Court (Amendment) Rules, 2005**

IN EXERCISE of the powers contained in sections *forty-three* and *forty-five* of the High Court Act, the following Rules are hereby made:

1. These Rules may be cited as the High Court (Amendment) Rules, 2005, and shall be read as one with the High Court Rules, in these Rules referred to as the principal Rules.
2. The Second Schedule to the principal Rules is amended by the deletion of Parts I, III, VII and VIII and the substitution therefor of the new Parts I, III, VII and VIII set out in the Appendix to these Rules.

## APPENDIX

*(Paragraph 2)*

## SECOND SCHEDULE

*(0.1,r4)*

## PART 1

## GENERAL LIST REGISTRY

## PRINCIPAL REGISTRY

<i>No.</i>	<i>Fee Units</i>	<i>Document to be receipted</i>
1. (a) On sealing a writ of summons or originating application of any matter other than mortgage action	556	the filed copy
(b) On sealing a writ of summons or originating application in a mortgage	556	
2. On sealing a concurrent or renewed writ of summons or concurrent originating summons	278	the Preacipe

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<i>No.</i>	<i>Fee Units</i>	<i>Document to be receipted</i>
3. On sealing any amendment	84	the filed copy
4. On sealing of summons in Chambers (including a summons for further directions)	84	the summons of notice
5. On filing of summons for restoration of a mater which has been struck out for non attendance	278	the summons
6. On filing an interlocutory notice of motion or application not specifically provided for	278	the filed Notice or application
7. On sealing a third party notice	56	the filed copy
8. On sealing a commission or letter of examination of witness abroad	112	the praecipe of undertaking
9. On examination of a witness before an officer of the Court (including the examination of a judgement debtor) for each half hour or part thereof away from his/her office his/her reasonable travelling and other expenses are also payable	278	the Order of praecipe
10. On filing depositions	112	the filed copy
11. On application for copies of the notes of the judge for the use of the Supreme Court of Zambia per page or part thereof	56	the application
12. On sealing a Praecipe for a Writ of Subpoena for each witness	84	the Praecipe
13. On sealing a Writ of Subpoena for each witness	84	the filed copy
14. On filing an affidavit	28	the filed copy
15. On filing a Certificate of Service	28	the filed copy
16. (a) On personal general searches in the judgment Registers or in the Judgment Section of the Civil Cases Register for every Name	28	the search form

<i>No.</i>	<i>Fee Units</i>	<i>Document to be receipted</i>
(b) On personal general searches in the judgment register for unspecified number of names in to any one calendar year, in any register of the High Court	2778	in cash payable to the Register of the High Court
(c) On search for appearance of any other search (including an inspection) not otherwise provided	28	the Search Praecipe
17. (a) For memorandum of appearance	112	
(b) Certificate of urgency	139	
18. On entering or sealing an order made in Chambers	56	the Order
19. On entering or sealing an order of reference under order 20	56	the Order
20. On setting or approving an advertisement, or any other document or deed (other than judgment or order	84	the filed copy
21. On entering or setting any matter for hearing in Court, except where otherwise provided	278	the filed copy
22. On entering or setting a judgment decree or order given, directed or made in trial, hearing or further consideration of a cause or matter in Court (other than matrimonial cause or judgment summons) per day or part	112	the judgment decree Order
23. On hearing judgment summons	84	the Order
24. On entering or sealing a writ of execution (including a writ of attachment)	84	the judgment
25. On sealing or filing a writ of execution (including a writ of attachment)	112	decree Order the praecipe
26. On filing a case stated	167	the Case

<i>No.</i>	<i>Fee Units</i>	<i>Document to be receipted</i>
27. On taking on account of monies received by a person liable to account for the same for every K1,500,000 or fraction of K1,500,000 of the amount received	56	the certificate
28. On taking an account of monies received by a person liable to account for the same for every K1,500,000 for the amount found due	56	the certificate
If taking such an amount nothing is due		
29. On an inquiry as to damages for every K1,500,000 of the amount certified	56	the Certificate
30. For copies of documents or proceedings per page or part thereof	56	the office copy
31 For certifying a copy an office copy and in addition if under seal	21	the office copy
32. On filing any notice not provided for	278	the filed copy
33. On the taxation of a bill of costs for every K1,500,00 or fraction of K1,500,000 allowed	112	the Bill
34. Application (including registration) to register judgment when no fee is provided by the Act providing for registration	278	The Certificate judgment
35. (a) Hearing fee	Deferred	
(b) Election Petition	2778	
36. On filing application for leave to appeal to the Court	84	the Notices
37 On leave being granted to appeal to the court	84	the Oder
38. On every bond	112	the filed copy
39. On hearing an appeal	112	the judgment
40 Filing petition on admission to the Bar	1112	

PART II  
DIVORCE AND MATRIMONIAL CAUSES

<i>No.</i>	<i>Fee Units</i>
41. On presenting and filing a petition	556
42. On amending a petition	278
43. On filing an answer or reply	112
44. On application for ancillary relief	112
45. On filing affidavit in answer to application for ancillary relief or affidavit in reply thereto on filing application	28
46. On setting down and hearing per day or part of the day	167
47. On filing notice of application to make decree absolute	84
48. On sealing a copy of a decree nisi or absolute	84
49. Swearing of an Affidavit	84
50. Certifying a document	28

PART VII  
COMMERCIAL LIST REGISTRY  
(COURT FEES)

<i>No.</i>	<i>Fee Units</i>	<i>Document to be receipted</i>
1. (a) On sealing a writ of Summons or originating application of any matter other than Mortgage action	833	the filed copy
(b) On sealing a mortgage action	1667	the filed copy
2. On sealing a concurrent or writ of summons or concurrent originating summons	278	the Praeceptum
3. On sealing any Amendment	278	the filed copy
4. On sealing Summons in Chambers (including which a summons for further directions)	278	the summons of Notice
5. On filing of summons for Restoration of a matter which has been struck out for non attendance	333	the summons
6. On filing an interlocutory Notice of Motion or Application not specifically provided for	167	the filed Notice or application
7. On sealing a Third Party notice	167	the filed copy
8. On sealing a Commission or letter of examination of witness abroad	167	the praeceptum of undertaking

9. On examination of a witness before an officer of the Court (including the examination of a judgment Debtor) for each half hour or part thereof away from his/her reasonable travelling and other expenses are also payable	278	the Order of praecipe
10. On filing Depositions	112	the filed copy
11. On application for copies of the notes of the judge for the use of the Supreme Court of Zambia per page or part thereof	112	the application
12. On sealing a Praecipe for a writ of Subpoena for each witness	112	the Praecipe
13. On sealing a writ of Subpoena for each witness	112	the filed copy
14. On filing an Affidavit	112	the filed Document
15. On filing a Certificate of service	112	the filed copy
16. (a) On personal general searches in the Judgment Registers or in the Judgment section of the Civil Cases Registry for every Name	112	the search form
(b) On personal general searches in the Judgment Register for un specified number of names in to any one Calendar year, in any Registry of the High Court	2778	In eash payabxle Registrar of the High Court
(c) On a search for Appearance of any other search (including an inspection) not otherwise provided	84	the Search Praecipe
17. For a Certificate of apearance of a Pleading Affidavit or proceeding having been entered filed or taken or the negative thereof, unless otherwise provided	112	the Certificate

<i>No.</i>	<i>Fee Units</i>	<i>Document to be receipted</i>
18. On entering or sealing an Order made in Chambers	112	the Order
19. On entering sealing an Order of reference under Order 20	167	the Order
20. On setting or approving an advertisement, or any other document or deed (other than Judgment or Order	167	the filed copy
21. On entering or setting any matter for hearing in Court, except where otherwise provided	556	the filed cocpy
22. On entering or sealing a judgment decree or Order given, directed or made in trial, hearing or further consideration of a cause or matter in Court (other matrimonial cause or judgment summons) per day or part	556	the judgment decree Order
23. On hearing judgment summons	222	the Order
24. On entering or sealing any other judgment or Order	167	the judgment
25. On sealing filing a Writ of Execution (including a Writ of attachment)	167	decree Order the praecipec
26. On filing a case stated	167	the Case
27. On taking an account of monies received by a person liable to account for the same for every K1,500,000 or fraction of K1,500,000 of the amount received	84	the Certificate
28. On taking an account of monies due to any person for every K1,500,000 of the amount found due	84	
29. On an inquiry as to damages for every K1,500,000 of the amount certified	84	the Certificate

<i>No.</i>	<i>Fee Units</i>	<i>Document to be receipted</i>
30. For copies of documents or proceedings per page or part thereof	84	the office copy
31. For certifying a copy an office copy and addition if under seal	84	the office copy
32. On filing any notice not provided for	84	the file copy
33. On the Taxation of bill of costs for every K1,500,000 or		
34. Application (including registration) to register a judgment when no fee is provided by the Act providing for registration	167	the Certificate judgment
35. Hearing fee	1667	payabxle in cash

## PART VIII

## APPEALS

<i>No.</i>	<i>Fee Units</i>	<i>Document to be receipted</i>
36. On filing application for leave to appeal to the Court	167	the Notices
37. On leave being granted to Appeal to the Court	167	the Order
38. On every bond	167	the filed copy
39. On hearing appeal	84	the judgment
40. Order for Directions	287	
41. Swearing Affidavit	84	
42. Taxation	10 per cent	
43. Certificate Urgency	278	
44. Bundles of documents	278	

E. L. SAKALA,  
*Chief Justice*

E. E. CHULU,  
*Member*

DR J. M. MUWILA,  
*Member*

E. N. MUKULWAMUTIYO,  
*Member*

LUSAKA  
28th October, 2005  
[J.64/11/1]