

**TABLE B**

**TARIFF OF FEES OF MESSENGERS OR OTHER PERSONS,  
NOT BEING PARTIES, EFFECTING SERVICE**

For service or attempted service of any summons and for other process and endorsing the necessary return ..... P15  
Whenever any document to be served with any process is mentioned in such process, no fee shall be charged for the service of such document; otherwise the fee of P5 may be allowed in respect of each separate document served, provided that no such fee for the service of a separate document shall be allowed in respect of the service of process in criminal cases.

**ALLOWANCES**

**1. Travelling Allowance**

- (1) When a motor vehicle including a motorcycle or a motor scooter is used ..... The rates applicable to persons employed in the public service as authorised in General Orders.
- (2) When a public conveyance is used ..... The actual disbursement.
- (3) When service is effected by means other than (1) to (2) ..... Rates applicable to persons employed in the public service as authorised in the General Orders.

*Note: This allowance shall be payable only in cases where the duty in question is to be performed beyond a radius of one kilometer from the office of the messenger or the abode or office of the other person, not being a party to the action, effecting service:*

*Provided that if the office of the messenger or the abode or office of such other person is situated more than three kilometres from the Court the allowance shall be payable only where such duty is to be performed beyond a distance of one kilometre from the Court.*

**2. Subsistence Allowance**

- (1) Subsistence allowance shall be paid in addition to travelling allowance at the rate applicable to persons employed in the public service as authorised in the General Orders per day or part of a day.
- (2) No subsistence allowance shall be allowed when service is effected within the limits of the township or village in which the courthouse is situated.
- (3) A judicial officer may increase the subsistence allowance in any case in which he considers there are special circumstances to warrant such an increase. Travelling allowance and subsistence allowance may be allowed for attempted service as well as for actual service. When two or more summonses or other process, whether at the instance of the same plaintiff or of different plaintiffs, have been, or, in the opinion of the taxing officer, should have been served on one and the same journey, the travelling allowance

and subsistence allowance for performing the round of service shall be fairly and equitably apportioned among the several cases, regard being had to the distances at which the parties against whom such process is directed respectively, reside, but the fee for service shall be payable for every service made or attempted to be made.

- |   |        |
|---|--------|
| 3. (1) For taking inventory per folio or portion thereof .....  | P5     |
| (2) For each necessary copy thereof .....   | P2.50  |
| 4. For drawing advertisement of sale of goods attached .....  | P12.50 |
| 5. In respect of execution —  |        |
| (a) when a writ is paid on presentation, one per cent on the amount of the writ, with a minimum fee of  | P5;    |
| (b) when a writ is withdrawn by the judgment creditor, or the judgment debtor's estate is placed under sequestration before any movable property has been attached, a fee of  | P25;   |
| (c) when a writ is withdrawn by the judgment creditor or the judgment debtor's estate is placed under sequestration after movable property has been attached, but before sale, two and a half per cent on the value of the movable property attached, but commission shall not in any case be calculated on an amount greater than that directed to be recovered; |        |
| (d) when a writ is paid by the judgment debtor to the messenger after movable property has been attached but before sale, three per cent on the amount so paid;   |        |
| (e) after sale in execution —   |        |
| (i) for the first P1000 or less than P1000 of the amount recovered, five per cent,  |        |
| (ii) for every subsequent P1000 or portion thereof, four per cent;  |        |
| (f) commission shall not be allowed on the value of movable property attached, but subsequently claimed by a person other than the judgment debtor and released in consequence of such claim, unless such property has been attached on the express direction of the judgment creditor.   |        |
| 6. Keeping possession of property seized —  |        |
| (a) for each custodian (not exceeding two in number) necessarily left in possession, <i>per diem</i> .....  | P75    |
| “possession” means the continuous and necessary presence on the premises and for the period in respect of which possession is charged for a custodian employed and paid by the messenger for the sole purpose of retaining possession;  |        |
| (b) for removal and storage, the reasonable and necessary expenses of such removal and storage;   |        |
| (c) for herding and preserving livestock, the necessary expenses of herding and preserving such stock;  |        |
| (d) disbursement can only be allowed when actually and necessarily made, and on production of receipts therefor when obtainable;  |        |
| (e) when no officer is left in possession and no security bond is taken, but the movable property attached remains under the supervision of the messenger, a reasonable fee not exceeding, per diem .....   | P125   |

<p>(f) a messenger may insure movable property attached if it is necessary and he is authorized in writing by the judgment creditor to do so, and for effecting such insurance he shall be allowed a fee of P25 in addition to the premium paid.</p>	
7. For effecting an arrest.....	P50
8. For conveying a defendant to prison from the place of arrest, per kilometre or fraction of a kilometre .....	P50
9. For bringing a defendant to Court from the place of custody, per day or fraction of a day .....	P50
10. For drawing and completing a bail bond, deed of security or indemnity bond .....	P12.50
11. For executing a writ of ejection .....	P25
12. For executing a writ of attachment of immovable property or an attachment to found jurisdiction, including notices to the owner and the Registrar of Deeds and endorsing the necessary return .....	P25
13. Notice of attachment to a single lessee or occupier identical notices when there are several lessees or occupiers-for each after the first .....	P15
14. For executing a writ of attachment of pension, salary, wages, and inheritance or rights of a similar character, including notices to the judgment debtor, the Treasury, Executor, Master of the High Court, etc. ....	P15
15. Notice to Registrar of Deeds withdrawing an attachment on immovable property.....	P15
16. For copies of writs and orders necessarily made .....	P2.50
17. The fees and charges for all work reasonably and necessarily done in the service or execution of process for which no provision is made in this tariff shall be assessed, and every question arising under or relative to such tariff shall be determined by the clerk of the court.	
18. All disbursements actually made or liabilities incurred in the execution of process shall be subject to taxation by the clerk of the court and the production of receipts when obtainable.	
19. No fee may be charged for the service of process in pauper cases, but the messenger shall be entitled to receive his out of pocket expenses.	
20. The messenger's fees shall be added to the amount to be recovered under this tariff, and shall be chargeable against the judgment debtor.	

