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THE JUDICIAL DEPARTMENT, FEDERATION OF MALAYA.

REGISTRAR'S CIRCULAR NO. 4 OF 1952

Court Fees Costs

Attention is drawn to Registrar's Circular No. 6 of 1951 which reads as follows :-

"In any case where the costs awarded are Court fees and out-of-pockets only, no fee is chargeable under items 21, 40 and 63 of 1948 Supreme Court Rules 8, 9 and 10 or under item 26 of 1948 Subordinate Courts Rule No.1."

2. 1948 Subordinate Courts Rule No. 1 has specifically been repealed by the Subordinate Courts Rules 1950. Therefore the above Circular has no longer any effect in respect of Subordinate Court fees, though it remains in force so far as the Supreme Court is concerned.

3. In the new Subordinate Courts Rules, item 12 in the third Schedule takes the place of the old item affected, and it will be seen that it directly applies the principle set out in the Circular. Solicitors costs are dealt with in Part I of the second Schedule to the 1950 Rules. Disbursements, including Court Fees (under (a)) are dealt with separately under Part II. In consequence it seems that item 12 in the third Schedule is to be read that, if the Court allows Solicitors costs, Item 12(b) is chargeable, but if the Court allows no Solicitors costs, as in a case where a party appears in person, Fee 12(a) is charged.

REGISTRAR.
(D.H.SHACKLES).

THE FEDERAL REGISTRY, SUPREME COURT,
Federation of Malaya,
P.O. Box 1060.

Kuala Lumpur, 22nd April, 1952.
(RSC.22/50) (RSC.37/51) (DHS/TKC)

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