

**HIGH COURT ACT, 1985**  
**THE RULES OF COURT (PRSSCRIBED FEES)**  
**RULES 2000**  
**(Under Section 19 (1) (e))**

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|----|--|--------------------------------------|
| 1. | These Rules may be cited as the rules of Court (Prescribed Fees) Rules, 2000 and shall come into operation on the 1 <sup>st</sup> day of January, 2000   | short title<br>and<br>Commencement   |
| 1. | The fees specified in the Schedule hereto shall henceforth be leviable in the High Court for Zanzibar and in all Courts subordinate thereto in respect of the several matters and proceedings mentioned therein.                 | Fees<br>Leviable                     |
| 2. | (1) The Rules of Court (Prescribed fees) Rules, 1995 are hereby repealed from the 1 <sup>st</sup> day of January, 2000   | Repeal and<br>Savings<br>L.N. 34/95. |
|    | (2) All legal proceedings begun in or before any Court and adjudicated or finalized prior to the Commencement of these rules the fees leviable shall be made in accordance with the Rules of Court (Prescribed Fees Rules, 1995) |                                      |

**SCHEDULE**  
**1. IN CIVIL MATTERS**  
**SUMMONS FEES**

1.	Where the value of the subject matter	Shs.	Cts
	(a) Does not exceed Shs. 20,000	500	00
	(b) Exceed Shs. 20,000/= but does not exceed Shs. 100,000/=	5 percent on Each Shs. 1,000 or part thereof.	
	(c) Exceeds Shs. 100,000/= but does not exceed Shs. 500,000/=	3 percent on each 1000 or part thereof.	
	(d) Exceeds Shs. 500,000/= but not exceed Exceed Shs. 5,000,000/=	1.5 per cent on each Shs. 1000 or part thereof.	
	(e) Exceeds Shs. 5,000,000/- but does not Exceeds Shs. 10,000,000/=	75,000	00
	(f) Exceeds Shs. 10,000,000/- but does not exceeds Shs. 20,000,000/=	80,000	00
	(g) Exceeds Shs. 20,000,000/=	100,000	00

**NOTE** - No additional fees shall be charged in respect of any interest which may accrue due after the institution of the suit.

2.	For taking particulars of complaints, application for summons or any other necessary document	1,000	00
3.	On any Matrimonial Suit-		
	(a) In the High Court	5,000	00
	(b) In any other Court	3,000	00
	(c) On twelve times the amount of Monthly maintenance claimed	5 percent, on each Shs. 1,000 of part Thereof.	

Provided that when there is an alternative claim for divorce or other Matrimonial relief the higher of the fees under 3 (a) (b) (c) shall be payable.

4. In any suit where it is not possible to estimate the subject Matter at a money value:-

(a) In the High Court	....	....	....	....	5,000	00
(b) In the Regional Court	....	....	....	....	2,500	00
(c) In any other Court	....	....	....	....	3,000	00

Provided that in every case where by reason any findings of Order of the court a declaration of ownership of any money or property is made, and valorrem fee at the same rate as in Fee No. I shall at once become payable, less the fee already paid.

5. On an originating summons .... A fee of Shs. 5,000/= per each, question contained in the summons.

**NOTE** - In the event of it becoming necessary to try in Court any question arising out of the Originating Summons the ordinary summons fees and laid down in Fee No. I shall be payable in respect of the question to be tried.

6. In Suit for arrears of rent by a Landlord against a Tenant where an order of possession of the property is prayed .... An Ad valorem Fee of 10 per cent, on the Total yearly rent of the Property in addition to The fee leviable for Under Fee No. 1.

7. In a similar suit, where no rent is claimed but only Order for possession .... Any Ad valorem Fee of 10 per cent, on the total yearly rent of the Property.

8. Upon filing an award under the Arbitration Decree, or an Application under the Civil Procedure Decree Schedule II.

In the High Court	....	....	....	....	5,000	00
In the Subordinate Court	....	....	....	....	3,000	00

9. On the issue of every witness summons, notice (not particularly charged) in addition to the appropriate fee ... 1,000 00

**SERVICE FEES**

10. For service of summons answer motion paper notice  
Warrant Decree Order or other document on a party witness Assessor or  
other person

(a) Within the township of the Court of issue 500 00

Provided that an additional fee of Shs. 300 for service within  
the township of the Court of issued, or Shs. .... as the case may  
be, shall be charged for any such service at the request of a part made  
within four days of the date on which such process is returnable.

**NOTE** – Service outside the township will depend upon the fares set by  
The Government and be deposited to be given to process server.

11. **REGISTRATION ON FOREIGN JUDGMENTS**

(a) On filing affidavit to support application .... 2,000 00  
 (b) Any other affidavit .... 2,000 00  
 (c) On issuing summons for leave to register .... 3,000 00  
 (d) Any other summons .... 2,000 00  
 (e) On the order for registration .... 3,000 00

**APPLICATION AND FILING**

12. On application for order for arrest or attachment before  
Judgment ..... 3,000 00  
 (other fees consequent upon such application at usual scale).

13. On application for every interlocutory injunction  
 (a) In the High Court ..... 5,000 00  
 (b) In any other Court ..... 3,000 00

14. On application for mandamus for final prohibitory injunction.  
 (a) In the High Court ..... 5,000 00  
 (b) In any other Court ..... 3,000 00

15. On every application or motion (not particularly charged) to include  
Order made thereon.

(a) In the High Court ..... 5,000 00  
 (b) In any other Court ..... 3,000 00

Provided that no fee shall be payable in respect on an Application by

a Decree Holder for the payment out of monies paid into Court by a Judgment – Debtor in satisfaction of a Decree, or realized under execution proceedings.

Provided also that no fee shall be payable in respect of an application for the return of an exhibit.

16. On every application or motion (not particularly charged) Accompanied by consent to include filing and order made thereon. .... 3,000 00

17. On filing exhibiting any document book other instrument or article (except bonds and recognizance's).

(a) In the High Court ..... 1,500 00  
 (b) In any other Court ..... 1,000 00

**NOTE:** No fee is chargeable upon letters addressed to the Court or an officer of the Court.

18. For taking and filing security when ordered in any civil Proceedings.

(a) In the High Court ..... 3,000 00  
 (b) In any other Court ..... 2,000 00

**SPECIAL CASE**

19. On submission of special case to include hearing ..... 5,000 00

**DECREE OR ORDER**

20. For drawing and engrossing decree or order (not particularly charged)

(a) Where the amount of the decree or order is below  
10,000/= ..... 1,000 00

(b) Where the amount of the decree or order is above 10,000/=  
but not exceeds Shs. 100,000 ..... 1,500 00

(c) Where the amount of the decree or order is below 100,000/=  
but does not exceeds Shs. 500,000/= ..... 2,000 00

(d) Where the amount of decree above 500,000/= but does not  
Exceeds Shs. 1,000,000 ..... 2,500 00

(e) Where the amount of decree per order exceeds Shs. 1,000,000/= 3,000 00

(f) Where the decree or order is not capable of being assessed  
at a monetary value ..... 3,500 00

21. On perusal signing and sealing any decree or order drawn by a party to the Suit or his advocate or agent (not particularly charged) like fees as in (a), (b) (c), (d), (e) and (f) Fee No. 20.

**EXECUTION  
AGAINST THE PERSON**

22. On every application for execution to include tiling an order, where the value of the subject matter:-

(a)	Is below 50,000/=	.....	.....	.....	1,000	00
(b)	Exceeds Shs. 50,000/= but does not exceed Shs. 100,000/=	.....	.....	.....	1,500	00
(c)	Exceeds Shs. 100,000/= but does not exceed Shs. 500,000/=	.....	.....	.....	2,000	00
(d)	Exceeds Shs. 500,000/= but does not exceed Shs. 1,000,000/=	.....	.....	.....	2,500	00
(e)	Exceeds Shs. 1,000,000/= but does not exceed Shs. 10,000,000/=	.....	.....	.....	4,000	00
(f)	Exceeds Shs. 10,000,000/=	.....	.....	.....	6,000	00
23.	(a) On issue and execution of warrant of arrest (a part from traveling food and other costs)	.....	.....	.....	3,000	00
	(b) Upon every warrant of committal	.....	.....	.....	1,000	00

**AGAINST PROPERTY**

24. On every application for execution against property to Include order, as in Fee No. 23.

25.	(a) For any sum below 20,000/=	.....	.....	.....	1,000	00
	(b) For any sum above 20,000/= but not exceeding	.....	.....	.....	2,000	00
	(c) For any sum above 100,000/= but not exceeding 500,000/=	.....	.....	.....	3,000	00
	(d) For an sum above 500,000/- but not Exceeding 1,000,000/=	.....	.....	.....	4,000	00
	(e) For any sum exceeding 1,000,000/= but not exceeding 5,000,000/=	.....	.....	.....	5,000	00
	(f) For any sum exceeding 5,000,000/= but does not exceeds Shs. 10,000,000/=	.....	.....	.....	7,500	00
	(g) Exceeds Shs. 10,000,000/=	.....	.....	.....	10,000	00

26. Service fee for posting of warrant upon each property Attached –  
As in Fee No. 10.

**BROKERS FEES**  
**ON ATTACHMENT OF MOVABLE PROPERTY**

27. Where warrant is executed by Broker under instruction of the Court the Following fees shall be payable:-

1. When the amount certified by the warrant to be due is tendered to the Broker.
  - (a) Does not exceed Shs. 1,000,000/= ..... 1.5%
  - (b) Exceeds Shs. 1,000,000/= but does not exceed Shs. 10,000,000/= ..... 1%
  - (c) Exceeded Shs. 10,000,000/= ..... 0.5%

Provided that the maximum fee shall not exceed 310,000/=.

28. **BROKER'S FEES ON SALE OF MOVABLE PROPERTY:**

- (1) On Sale of any property excepting jewelry, ivory, Cloves, clove stems, coconuts and copra 7% of the value of the property.
- (2) On sale of cloves, stems, coconuts and copra ..... 2 per cent
- (3) On sale jewelry and ivory ..... 1 per cent

Provided that if the property is offered for sale by Public auction and is not sold for any cause other than the default of the broker fee of 2 per cent, based upon the value of the property shall be payable to the Broker and the out of pocket expenses attendant upon such offering for sale by public auction shall be paid; such expenses to be certified correct by the Registrar.

**BROKERS FEES ON SALE OF IMMOVABLE PROPERTY.**

29. 6% of the value of the property sold.

Provided that if the property when offered for sale by public is not for cause other than the default of the Broker himself the Broker shall be entitled to 3% of the value of the property.

To enable the value of the property to assessed the Decree – Holder and the Broker shall mutually agree to the value thereof before offering for sale and in case of dispute the value of the property shall be assessed by the Registrar.

The half fees shall be payable upon the value of such agreement or assessment.



In the case of an abortive sale the costs advertising the property for sale and reasonable out of pocket expenses incurred by the Broke such to be certified by the Registrar shall be paid forth with by the Decree-Holder.

30. Upon issue of notice to settle proclamation service fee only to be Charged as in Fee No. 10.

31. Upon every warrant of sale, where the value of the subject matter.

(a) Exceeds Shs. 10,000/= but does not exceed Shs. 100,000	.....	1,000	00
(b) Exceeds Shs. 100,000/= but does not Shs. 500,000/=	.....	1,500	00
(c) Exceeds Shs. 500,000/= but not exceeds Shs. 1,000,000/=	.....	2,000	00
(d) Exceeds Shs. 1,000,000/= but does not exceed Shs. 5,000,000/=	.....	2,500	00
(e) Exceeds Shs. 5,000,000/=	.....	3,000	00

32. Upon drawing Proclamation for Sale Schedule of property where the value of the subject matter –

(a) Exceed Shs. 200,000/= but does not exceed Shs. 500,000/=	.....	1,000	00
(b) Exceeds Shs. 500,000/= but does not exceed Shs. 1,000,000/=	.....	2,000	00
(c) Exceeds Shs. 1,000,000/=	.....	3,000	00

For each property in addition to the first provides that the fee payable herein shall not exceed Shs. 5,000/=.

33. For attendance at sale at the request either of parties in interest Or legal authority.

If absent from Court not more than two hours for each addition hours for each additional hour or fraction thereof exceeding two hours an additional fee of Shs. 500/= with a maximum fee of Shs. 5,000/= per diem.

.....	.....	1,500	00
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### **SALE CERTIFICATE**

34. For supplying certificate confirming sale of immovable property  
Sold by order of the court –

(a) Does not exceed Shs. 500,000/=	.....	.....	....	1,000	00
(b) Where purchase money exceed Shs. 500,000/= but Not exceed Shs. 1,000,000/=	.....	.....	.....	3,000	00
(c) Where purchase money exceeds Shs. 1,000,000/= but does not exceed Shs. 5,000,000/=	.....		.....	5,000	00
(d) Where purchase money exceed Shs. 5,000,000/= but does not exceed 10,000,000/=.	.....	.....	.....	7,500	00
(e) Exceeds Shs. 10,000,00/=	.....	.....	.....	10,000	00

### **MISCELLANEOUS**

35. Upon taking or passing an account by the Registrar or other  
Officer of the Court deputed for the purpose.

(a) If engaged not more than one hour	.....	.....	.....	1,000	00
(b) For each succeeding hour or part thereof	.....		.....	2,000	00

36. Upon taking on account and declaring the amount due  
Upon the date fixed, for redemption on a mortgage

	.....	.....	.....	1,000	00
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Where an "agreed account is filed, signed by the parties  
or their advocates

	.....	.....	.....	2,000	000
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37. Upon order for adjournment of hearing when rendered  
Necessary by default of either party to be paid by the defaulting party

	.....	.....	.....	such sum as the	court not
	.....		.....	Exceeding Shs.	50,000/=.

38. Attending to view in addition to all traveling expenses.

(a) In a case before the High Court	.....	.....	....	5,000	00
(b) In a case before any court	.....	.....	.....	3,000	00

39. Upon taxation of any Bills of Costs for each 10 folios.

(a) In a case before the High Court	.....	.....	.....	5,000	00
(b) In a case before any other court	.....	.....	.....	3,000	00

Provided that when the parties consent to costs being taxed at an  
figure without drawing out a bill, an inclusive fee of Shs. 3,000/= shall only  
be chargeable.

40.	Upon deposit of any document	.....	.....	.....	1,000	00
41.	Upon evidence taken upon Commission for every day or part of a day; to be retained by the officer taking the evidence	.....	.....	.....	5,000	00
42.	On the examination of any witness of debone case unless the Judge Otherwise Order:					
	(a) In the High Court	.....	.....	.....	5,000	00
	(b) In any other Court	.....	.....	.....	3,000	00
43	Upon taking an affidavit For each person sworn or affirmed	.....	.....	.....	1,000	00
44.	For every exhibit to an affidavit	.....	.....	.....	500	00
45.	For attending to administer an oath or affirmation, or to take a declaration beyond the officers of the Court, in addition to the ordinary fee thereon	.....	.....	.....	Shs. 2,000/=	for each hour or part thereof.
46.	For superintending and taking an inventory where directed by the Court.	.....	.....	.....	A fee of 5 Percent on the Value of the Property. Such fee not to exceed Shs. 15,000/=.	
47.	On deposit any money or valuable in Court	.....	.....		A fee of 5 Percent on the Value of the Property. Such Fee not to Exceed Shs. 15,000/=.	
48.	On payment of money into court	.....	.....		2 per cent with a maximum of Shs. 50,000/=.	
<p>Provided that no fee shall be paid in respect of any sum of money Lodge for the goal subsistence of a Civil Prisoner.</p>						
49.	For nothing a Marine Protest under section 8 on the Notaries Public Decree, 1948	.....	.....		5,000	00
50.	For a attesting signature upon a document Statutory Declaration and Rower of Attorney	.....	.....		1,500	00
51.	Upon reference to Court Archives	.....	.....		2,000	000

52.	Upon search in Court Archive a proportionate charge at the rate of Shs. 2,000 per day.			
53.	Upon communication with another Tribunal			
	(a) Outside the jurisdiction of the High Court	....	.....	5,000 00
	(b) Within the jurisdiction of the High Court	....	.....	3,000 00
54.	For Certificate that no execution has been levied		.....	1,500 00
55.	Upon every warrant not particularly charged		....	2,000 00
56.	For certifying a copy of any document or part of a document under section 8 of the Notaries Public Decree, 1948			
	(a) For the first of 100 words or part thereof	....		2,000 00
	(b) For every subsequent folio		.....	1,000 00

### **CERTIFIED COPIES AND TRANSLATIONS.**

57.	For certified copy of any book document or Proceeding in archives:-			
	(a) For the first folio of 100 words or thereof	.....		3,000 00
	(b) For every subsequent folio	....	.....	300 00

Provided that in every group of figures three shall Count As one word.

**NOTE:** For certifying copies of document not in archives, Fee No. 56 shall be charge-able.

58.	For uncertified copies of book, document or proceedings in Archives:-			
	(a) For the first folio of 100 words or part thereof	....	.....	2,000 00
	(b) For every subsequent folio or part thereof	....	.....	200 00
59.	For an official certified translation of any document			
	(a) For first folio 100 wards	.....	.....	4,000 00
	(b) For each subsequent folio	.....	.....	300 00
60.	(a) For certifying as correct a translation tendered by a part –			

Half fee as in fee No. 59.

- (b) For certifying copy of any document tendered by a party - Same fee as in Fee No. 59.

## **II. IN CIVIL APPEAL ETC.**

61. On filing Memorandum of Appeal or Cross Appeal.
- (a) Where the monetary value of the subject matter of the appeal is ascertainable –
- An ad valorem fee of 2 per cent, on the value of every claim which forms part of the subject matter of the appeal, with minimum fee of Shs. 2,000/= and a maximum fee of Shs. 10,000/=.
- (b) Where the monetary value of the subject matter of the appeal is unascertainable the payable fee shall be Shs. 5,000/=.
62. Hearing Fee, like fee to that paid on filing Memorandum of Appeal And to refunded if Appeal summarily dismissed.
63. On Application for reference, Review or Revision ..... 3,000 00
64. On drawing signing and sealing decree or order ..... 1,500 00

## **III. IN CRIMINAL MATTERS**

65. Upon every summons of warrant issued at the instance of Private individual unless specially directed by the Court to be issued free of charge. .... 3,000 00
66. Service thereof as in Fee No. 10.
67. Upon trial or enquiry unless specially directed by the Court to be free (except the hearing upon an complain under Part XVIII Penal Decree. .... 3,000 00
68. Upon the trial or inquiry into a complaint under part XVII Penal Decree such fee as the Magistrate or Judge may direct but not exceeding Shs. 50,000/= for each day or part thereof.
69. On every recognizance or Bail Bond provided that no fee shall be payable a bond either to prosecute or give evidence, or a bond for payment of fine imposed by the court ..... 3,000 00

#### **IV. IN CRIMINAL APPEALS**

70. Upon filing a Memorandum of Appeal or Application for Revision including hearing	.....	.....	.....	2,000	00
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Provided that such fee of Shs. 2,000/= may be reduced or remitted at the discretion of the Judge.

71. Upon every Application for Bail to include order	.....	.....	.....	1,000	00
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72. Upon every recognizance or Bail Bond	.....	.....	.....	1,000	00
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73. Upon every witness summons or warrant issued under Directions of the Court.	.....	.....	.....	1,000	00
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74. Service thereof as in Fee No. 10					
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**NOTE:** Fee 70 to Fee 74 shall not be charge able from a Prisoner who is certified by the officer in charge of the Prison to be unable to pay the fees.

#### **V. ORIGINAL CRIMINAL JURISDICTION OF THE HIGH COURT**

75. Upon every application for issue of directions in the nature of Habeas Corpus (unless remitted by Judge)	.....	.....	.....	5,000	00
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76. Issue of summons if ordered	.....	.....	.....	1,000	00
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77. Service thereof as Fee No. 10.					
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78. Drawing order of release	.....	.....	.....	.....	1,000	00
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79. Service thereof on Prison Authority as in Fee No. 10.					
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80. Upon ex-parte application to a Judge in Chamber for the Production of a prisoner detained in goal custody before any Court, Court Martial or Commissioners, including order made thereon.	.....	.....	.....	.....	5,000	00
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81. Drawing order made thereof	.....	.....	.....	.....	1,000	00
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82. Service thereof on Prison Authority as in Fee No. 10.					
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## **VI. ASSESMENT AND VALUATION PROCEEDINGS**

83. On Appeal to the high court from the decision of the assessment Appeal Committee, to include hearing-

An Ad Valorem fee of 15 per cent upon the difference between the annual value of the assessment and the annual value

Claimed by the appellant with a minimum fee of Shs. 2,000/=.

84. Upon an Appeal to the high court under the land Acquisition Decree and under the Acquisition Decree 1948, to include hearing-

(a) On objection to the amount of compensation awarded.

An advalorem fee of 3 percent, Upon the difference between the amount of the award and the amount claimed with a minimum of fee of Shs. 2,000/=.

(b) In any other case ..... 3,000 00

85. Service fee on hearing notice as in Fee No. 10

86. Witness summons as in Fee No. 9.

87. Drawing, signing and sealing decree or order ... 1,500 00

## **VII. PROBATE FEES**

88. On application for Probate Administration including Issue of grant for sealing of a grant ... 1,200 00

89. On oath for every executor administrator of surety ... 1,000 00

90. On every security ... 1,000 00

Provided that the sum levied in respect to fee 88, 89 And 90 shall not in the aggregate exceed 3 percent of the gross estate.

91. On filing account ... 1,000 00

92. Upon vouching account at the request of interested Party ... 1,000 00

To be paid by the requesting party.

93. Commissioner for Oaths fee on every affidavit, Fee as In Fee No. 43.

