

PRACTICE DIRECTIONS

WRITS OF EXECUTION

Order 62 Appendix 5 states:

3. (a) For every endorsement upon and order of execution \$ 1.50
- (b) For every notice of the executive creditor or his Solicitor \$ 1.50
- (c) The fee for executing a writ of fieri facias shall be double the fee for norvice of a document and shall be computed as in the case of service of documents.

POUNDAGE FEES

4. Poundage fees at the rate of 3 per cent on the amount recovered or the value of the goods levied upon where is a sale of the goods or where the execution is withdrawn, satisfied or stopped.

In every case where and execution is withdrawn, satisfied or stopped, the poundage fees shall be paid by the person issuing the execution, or the person at whose instance the sale stopped, as the case maybe.

Poundage fees shall be paid in cash.

5. The execution creditor shall at the time of lodging his request to enforce a writ of fieri facias deposit a reasonable sum to defray the cost of possession charges, advertisement and expenses which may be incurred in connection with the levy of sale . The Marshal or Deputy Marshal, as the case maybe, shall levy for such sum incurred over and above the sum endorsed on the writ.

NOTE: With respect to (4) above poundage fees are not payable where the goods are levied upon and there is a claimant to the goods. However, in such a case both the execution creditor and the claimant shall each deposit forthwith one half of a sum, which is reasonable to meet the expenses to be incurred in the storage of the goods until determination by the Court.

If the claimant fails to make any such deposit the Marshal shall proceed with the execution as if no such claim had been made in respect of the goods, unless a Court or Judge orders otherwise; if the execution creditor fails to make any such deposit the withdraw from such levy.

AMOUNT OF DEPOSIT

With effect from the 1st day of May, 1986 a deposit of \$300.00 shall be paid by the execution creditor at the time of lodging his request to enforce a Writ of Execution to defray the cost of possession, charges, advertisements and expenses which may be incurred in connection with the levy and sale.

April 30th 1986

Registrar, Supreme Court