

## FEES PAYABLE IN SUITS

S/No	Suit	Total fees payable	Minimum	Amount payable on plaint
1	Suits for the partition of immovable property	2%	SDG 5	Half or the minimum whichever is greater
2	Suits for maintenance	Scale percentage	SDG 2	Ditto
3	Suits for the appointment or removal of a guardian ( other than a guardian ad litem or a trustee	2%	SDG 2	SDG 2
4	a) Suits for divorce b) Other suits relating to marriage, separation, custody of children or other personal matters not expressly provided for	SDG 2  SDG 5	SDG 2	SDG 2
5	Suits for the sale or foreclosure of mortgaged immovable property. In addition, if the property is sold or a decree for foreclosure is passed, on the amount of sale, or if the decree is for foreclosure, on the value of the property 3%.	Scale percentage	SDG 5	Half or the minimum whichever is greater
6	Interpleader, if the value is: a) SDG 50 or less b) More than SDG 50	Scale Percentage  Ditto	SDG 5	SDG 5
7	All other suits	Ditto	SDG 5	Half or the minimum whichever
8	On an application to set aside a default decree: a) In the High Court. b) In the County Court	SDG 5 SDG 3		
<b>ARBITRATION</b>				
9	On an application under			

	section 151 to file an agreement or under section 154 to file an award	SDG 5		
10	On making an order under section 151 for an agreement to be filed	One quarter of the scale percentage less the fee paid on application with a minimum of SDG 5		
11	On passing a degree after an agreement has been filed under section 151 or section 154: on the value of the decree	Ditto		
12	Where the application under section 151 or 154 is resisted, the dispute shall be treated as a suit and fees shall be charged accordingly	Scale percentage on suit.		
<b>APPEAL</b>				
13	<ul style="list-style-type: none"> <li>a) To the High Court</li> <li>b) To the Court of Appeal</li> <li>c) Where the appeal under (a) and (b) above is allowed, the balance of fees shall be paid excepted under section 174</li> <li>d) Application for stay of execution <ul style="list-style-type: none"> <li>i) the County Court of First Grade Judge</li> <li>ii) The High Court</li> <li>iii) The Court of Appeal</li> <li>iv) The Supreme Court</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Scale percentage</li> <li>Ditto</li> <li>Scale percentage</li> </ul>		<ul style="list-style-type: none"> <li>SDG 3</li> <li>SDG 5</li> <li>SDG 2</li> <li>SDG 3</li> <li>SDG 4</li> <li>SDG 5</li> </ul>
<b>REVIEW</b>				
14	a) To the Supreme	Scale percentage		SDG 10

	Court b) If the application is granted, the balance shall be collected	Ditto		Ditto
<b>APPLICATION FOR CASSATION</b>				
15	a) An objection by cassation to the Supreme Court b) Where the Supreme Court determines the dispute on merits, a fee equal to the scale percentage on suit shall be payable less the sum paid on application	Fixed SDG 25		
16	a) A suit to the Supreme Court to determine constitutionality of any law or provision. b) A suit for constitutional remedy	Fixed SDG 25  Ditto		
17	An application for Judicial review of administrative decision a) The High Court b) The Court of Appeal c) The Supreme Court	SDG 15 SDG 20 SDG 25		
<b>Probate and Administration (Total Fees payable)</b>				
18	On petition for probate or administration	SDG 5		
19	On oath for every executor, administrator or surety	SDG 2		
20	On filing the administration bond	SDG 2		
21	On application for discharge or substitution	SDG 2		

	of a surety			
22	On passing the accounts	SDG 5		
23	On filing a caveat	SDG 2		
24	On notice to a caveator	SDG 1		
25	On application to the Court for directions	SDG 1		
26	On probate or administration, where the net value of the estate is not more than SDG 500.  Where the value of the estate is more than SDG 500 but not more than SDG 2,000.  Where the net value of the estate is more than SDG 2,000 with a maximum of SDG 10,000	1%  2%  3%		
<b>Bankruptcy Proceedings (Total fees payable)</b>				
27	On a bankruptcy petition by a debtor	SDG 5		
28	On bankruptcy petition by a creditor	SDG 15		
29	On an appointment of an interim receiver or receivers	SDG 5		
30	On application for removal of interim receiver or receivers	SDG 5		
31	On the appointment of new interim receiver or receivers in place of or in addition to the original interim receiver or receivers	SDG 5		
32	On an advertisement or notice published in the Gazette or a news paper by order of the Court	SDG 3		
33	On a notice to the creditor of a meeting or sitting of the Court	SDG 1		
34	On a petition by a creditor	SDG 2		

	to prove a claim			
35	On the execution of a warrant of seizure, search, arrest or commitment to prison	SDG 5		
36	On application for discharge or annulment of adjudication	SDG 5		
37	On granting an application to withdraw a bankruptcy petition	SDG 5		
38	On giving effect to a composition or scheme of arrangement: On the value of assets which the receiver estimates to be available for distribution amongst the unsecured creditors	1%		
39	On discharge of preferential claim or distribution of dividends: on the amount of such claim or dividend	2%		
40	Where an official of the Court is appointed receiver in his official capacity: on the net assets realized after deducting any sums paid to secured creditors in respect of their securities and on the net asset realized by the receiver when acting as a trustee to administer a debtor's property under a composition:			
	On the first SDG 5,000 or part thereof	5%		
	On the second SDG 5,000 or part thereof	4%		
	On the following SDG 10,000 or part thereof	3%		

	On the balance in excess of SDG 10,000	2%		
41	<p>On appeal against a decree or an order:</p> <ul style="list-style-type: none"> <li>a) Dismissing a bankruptcy petition</li> <li>b) Adjudicating a person bankrupt</li> <li>c) Directing or refusing to direct the receiver to pay a dividend</li> <li>d) Granting or refusing to grant a discharge</li> <li>e) Annuling or refusing to annul an adjudication</li> <li>f) Of commitment to prison</li> <li>g) Of any other kind not specifically mentioned</li> </ul>	The same fee payable as on the appeal		
<b>Proceeding under the Company Act, 2003</b>				
42	<p>( The sections referred to in this part are the sections of the New Sudan Companies Act, 2003) on application to the Court:</p> <ul style="list-style-type: none"> <li>a) Under section 8 (4) to confirm an alteration in a memorandum</li> <li>b) Under section 61 (1) to confirm a reduction of capital</li> <li>c) Under section 207 (1) to sanction a compromise or scheme of arrangements</li> <li>d) In a debenture</li> </ul>	<p>SDG 500</p> <p>SDG 500</p> <p>SDG 500</p>		

	holder's action for the appointment of a receiver or manager or foreclosure	SDG 500		
	e) Not otherwise provided for in winding up or other proceedings	SDG 200		
43	In proceedings for winding up : a) On application for winding-up a company by or under the supervision of the Court b) Under section 175 on setting a list of contributors c) Under section 178 on making a call d) On the appointment or removal of a liquidator e) On advertisement published in the Gazette or a news paper by order of the Court f) On a notice to creditor or a contributor of a sitting of the Court g) On the service of a petition, winding-up, order or other order of the Court	SDG 500  SDG 500 SDG 500 SDG 300 SDG 100 SDG 5 SDG 10		

	<p>h) On the execution of warrant of seizure, search, arrest or commitment</p> <p>i) On a petition by a creditor to prove a claim</p> <p>j) On inspection of the file of a proceeding by a person not entitled to inspect free of charge</p>	<p>SDG 10</p> <p>SDG 10</p> <p>SDG 10</p>		
44	<p>In proceedings for winding where an official of the Court is appointed official liquidator in his official capacity:</p> <p>a) On the total assets including produce of calls of contribution, realized or brought to credit by the official liquidator after deducting sums on which fees are charged under (c) hereunder and not being moneys received and spent in carrying on the business of the company:</p> <p>On the first SDG 5,000 or part thereof</p> <p>On the second SDG 5,000 or part thereof</p>	<p>5%</p> <p>4%</p>		



	<p>On the following SDG 10, 000</p> <p>On the balance in excess of SDG 20, 000</p> <p>b) On amount distributed in dividends or paid to contributors, preferential creditors and debenture holders by the official liquidator</p> <p>c) On the amount of call collected and on the value of property realized for debenture holders or other secured creditors if such calls are collected or such property is realized by such official</p> <p>d) On appeal or cassation the same fee as for an appeal or cassation; provided that if the appeal or cassation relates to a matter under which a fee is charged under No.41 or 42 the fee payable on appeal or cassation shall not be less than the fee specified under Nos.41 and 42 .</p>	<p>3%</p> <p>2%</p> <p>Half of the percentages mentioned in 44(a)</p> <p>Same as in 44(a)</p> <p>Fee payable on appeal or cassation</p>		
<b>Interlocutory Matters</b>				

45	<p>On application for:</p> <ul style="list-style-type: none"> <li>a) The Arrest of a defendant under section 155 of the Civil Procedure, 2007</li> <li>b) The defendant to give security or provisional attachment under section 159 (1) of the Civil Procedure Act, 2007</li> <li>c) Discharge of a surety under section 151</li> <li>d) A commission or a letter of request to take evidence: <ul style="list-style-type: none"> <li>i) In the Sudan</li> <li>ii) Outside the Sudan</li> </ul> </li> <li>e) Any other matter not expressly provided for: <ul style="list-style-type: none"> <li>i) If made in Court at the hearing of the suit</li> <li>ii) If made at any other time on petition</li> </ul> </li> </ul>	<p>SDG 5</p> <p>SDG 5</p> <p>SDG 1</p> <p>SDG 2</p> <p>SDG 10</p> <p>SDG 1</p> <p>SDG 2</p>		
46	<p>On making an order:</p> <ul style="list-style-type: none"> <li>a) Under section 158 forbidding the defendant to leave the Sudan or committing him or her to prison</li> <li>b) For provisional attachment under section 160 (1)</li> </ul>	<p>SDG 5</p> <p>SDG 5</p>		
47	On appointment of	SDG 1		

	guardian ad litem			
48	On filing any pleading	SDG 1		
<b>Execution</b>				
49	<p>Where the decree or order is for payment of money or delivery of property, on the amount of such money or the value of such property:</p> <p>a) On execution being granted</p> <p>b) After any process of execution has been issued by the Court: On the amount being realized or paid on the value</p> <p>c) Where execution has been granted and the decree is satisfied before the issue of any process of execution other than a summons to the judgement debtor to appear before the Court, the maximum fee payable under this paragraph shall be SDG 1 . The excess (if any ) shall be refunded by the Court.</p> <p>d) Where decree is for possession of immovable property by reason of the breach of the condition of tenancy, the value of the property delivered shall be</p>	<p>5% of the first SDG 10,000</p> <p>2% in case of an amount more than SDG10,000</p>		

	calculated in as value of six- month rent of the property			
50	On application under section 253 to reopen an execution if: a) Value is SDG 50 or less b) Value is more than SDG 50	50 piasters SDG 1		
51	Where decree or order is for the custody of a child or children, on execution being granted	SDG 1		
52	Where the execution is on any matter: a) On the execution being granted b) On execution being carried out on the value of relief afforded as assessed by the Court	SDG 1  As mentioned in 53 hereunder.		
53	Where after any process of execution has been granted, the creditor withdraws or applies to postpone the execution on the ground that he or she has accepted part payment or some valuable consideration in satisfaction of the debt, a fee of 5% shall be calculated on the amount actually paid by the debtor or on the value of the consideration as assessed by the Court			
<b>Protests, Administration of Oaths,- etc.</b>				
54	a) On application for protest b) If the bill is to be presented to more persons than one,	SDG 2  50 Piasters		

	for each such additional person			
55	On attestation of documents: a) If a document is to appoint a person as agent in one suit only in any Court in the Sudan b) In any other case: i) For each certificate of attestation endorsed on the document. ii) If more than one signature is attested at the same time, for each additional signature	SDG 3  SDG 1  50 Piasters		
56	On administration of an oath	SDG 3		
57	On taking evidence on commission or in response to a letter of request for each witness whose evidence is taken:- a) For a foreign Court b) For any other Court	SDG 10 SDG 1		
<b>Miscellaneous</b>				
58	For every summons to a witness or in any proceedings where the number of defendants exceeds three, for every summons to a defendant beyond the number of three, served by an official of the Court	SDG 1		
59	For making a copy of any documents, for every 100 words or part thereof	SDG 1		
60	For certifying the correctness of the copy of a document	SDG 1		
61	For the translation of a document from English into Arabic or vice versa,			

	for every page or part of it	SDG 2		
62	For the translation of document from any language other than English or Arabic into English or Arabic, for every page or part of it	SDG 2		
63	For every search for the record of a suit or any execution or for document in such record, or for a document filed in Court otherwise than in a record or execution:- If the period which has elapsed since the institution of the suit, granting execution or filing of the document is:- a) More than two years but not less than five years b) More than five years	SDG 2  SDG 5		
<b>Proceedings under the Trade Marks Act, 1969 and the Trade Marks Rules</b>				
64	(The sections referred to in this part are sections of the Trade Marks Act, 1969) On petition or application to the Court:- I. Under section 8 against Registrar's refusal to register a mark II. Under section 10 on filing an opposition to the registration III. Under section 13 for determining the rights of rival claims to identical marks by each claimant IV. Under section	SDG 500  SDG 500  SDG 500  SDG 500		

	<p>17(2) or under section 26(3) for cancellation of a trade mark</p> <p>V. Under section 18 against Registrar's decision on registration assignments, etc</p> <p>SDG 500</p> <p>VI. Under section 19 from the Registrar's decision on alteration of a registered mark</p> <p>SDG 500</p> <p>VII. Not otherwise provided for in this Rule</p> <p>SDG 500</p>			
65	Where the application under section 10, 13, 17(2), or 26(3) is resisted, the dispute shall be treated as a suit and fees shall be charged accordingly; the fee which has been paid on application being reckoned as the fee payable on plaint			
66	On appeal	The same fee as on appeal shall be payable provided: that it shall not be less than the fee specified in Rule 64		
<b>Proceedings under the Registration of Business Names Act, 1931</b>				
(The Sections referred to in this part are sections of the Registration of Business Names Act, 1931)				
67	On petition or application:-	SDG 500		
	a) Under section 12(2) against Registrar's refusal to register a business name			
	b) Under section 15(a) for	SDG 500		

	relief against disability by a minor c) Case not otherwise provided for this Rule	SDG 300		
68	Where an application under sections 12(2) and 15(a) is resisted, the dispute shall be treated as a suit and fees shall be charged accordingly; the fee which has been paid on application being reckoned as fee payable in plaint			
69	On appeal to the Court of Appeal, the same fee as for an appeal in a suit, provided that the fee payable on appeal shall not be less than the fee specified under the appropriate heading in Rule 67			
<b>Valuation</b>				
70	For every valuation of immovable carried out by an authorized public servant	5% of the valuation with a minimum of SDG 100 and a maximum of SDG 300		
71	For every valuation of movable carried out by an authorized public servant	1/4% of the valuation .		
72	In suits before the courts when application for adjournment is made by a party, and the Court finds that the adjournment has been necessitated by the default of such party	SDG 3		
<b>Proceedings under the Workmen Compensation Act, 1949</b>				
73	On application to the Court for payment of compensation paid into Court under section 13(1)	5% of the value of compensation to be paid by the employer		
74	On payment of	SDG 20		



	compensation to the Court under section 13(8)	payable by the compensation to the Court and not deductible from the compensation		
<b>Upon Application</b>				
75	On application and for review of any periodic payment before an appellate	SDG 1		
76	Upon an appeal under section 23 before any appellate Court	SDG 1		
<b>Proceedings under the Employers and Employed Persons Act, 1949</b>				
77	Upon payment to any County Judge of any sum under section 33(2)	SDG 20 payable by the persons making the payment and not deductible from the sum due under section 33(1)		

**Assent of the President of the Government of Southern Sudan**

In Accordance with the provision of Article 85 (1) of the Interim Constitution of Southern Sudan, 2005, I, Gen. Salva Kiir Mayardit, President of the Government of Southern Sudan, hereby Assent to the Code of Civil Procedure Act, 2007 and sign it into law.

Signed in Juba this \_\_\_\_\_ day of the month of \_\_\_\_\_ in the year 2007

**H.E. Gen. Salva Kiir Mayardit,  
First Vice President of the Republic of Sudan and  
President of the Government of Southern Sudan  
Juba.**