

PRACTICE NOTE 02/92 : TAXATION OF COSTS

1. This Practice Note is issued for the guidance of the legal profession in Tonga, after consultation with the Law Society.
- 10 2. In respect of any Bill of Costs taxed in the Supreme Court under and in terms of Order 29 of the Supreme Court Rules 1991 the amounts allowable (a) as between party and party or (b) as between agent and client where no charging arrangement has been entered into in writing, shall be in accordance with the terms of paragraph 4 hereof.
3. For the construction of paragraph 4 hereof -
 - (i) "Senior Counsel" means a King's or Queen's Counsel or Counsel of equivalent standing, seniority and experience;
 - 20 (ii) "Counsel" means any person licensed to practice law in the Kingdom of Tonga who is not a "Senior Counsel" or a "Locally qualified Lawyer";
 - (iii) "Locally qualified Lawyer" means any person licensed to practice law in the Kingdom of Tonga who is not a member of a foreign Bar or Law Society, or who does not have a degree in law from an accredited university obtained by examination.
- 30 4. (1) Subject to paragraph 4(2) hereof, the MAXIMUM fees which shall be allowable on taxation are -

	Senior Counsel	Counsel	Locally Qualified Lawyer
	pa'anga	pa'anga	
40	pa'anga		
	(a) All meetings, incidental court appearances, preparation and all work not covered by items (b) hereof - PER HOUR	150	100
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(b) Conducting Trials.
 Appeals, or any
 other substantial
 Court hearing set
 down for at least
 one day (to include)
 time spent travelling
 to and from Court for
 such appearances)

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- PER DAY	1000	600	450
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(2) In any case a Judge of the Supreme Court on special cause shown may allow an increase in any of the above charges, of such amount as he thinks fit.

(3) All disbursements must be properly vouched.

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(4) There shall be allowed as disbursements all reasonable sums necessarily expended by Senior Counsel. Counsel and Locally qualified Lawyers in respect of travelling costs, and subsistence when required to reside away from their ordinary place of residence.

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6 February, 1992