

## TARIFF OF COSTS

CONTAINING THE TARIFF OF FEES FOR SOLICITORS AND COUNSEL IN  
THE FOLLOWING COURTS AND MATTERS

### SCHEDULE I

“A”

### IN THE COURT OF APPEAL

(effective April 1st, 2006)

| Tariff Items   | Fees                                  |                                     |                                      |                                  |
|--|---------------------------------------|-------------------------------------|--------------------------------------|----------------------------------|
|  | Column 1<br>not exceeding<br>\$50,000 | Column 2<br>\$50,000 -<br>\$100,000 | Column 3<br>\$100,000 -<br>\$300,000 | Column 4<br>\$300,000 or<br>more |
| 1. Motion for Leave to Appeal<br>(including brief and argument)  | \$1,000                               | \$1,500                             | \$2,000                              | \$2,500                          |
| 2. Notice of Appeal (appellant or<br>cross-appellant only)   | \$ 300                                | \$ 400                              | \$ 500                               | \$ 600                           |
| 3. Fee to Respondent on receipt<br>of Notice of Appeal   | \$ 100                                | \$ 125                              | \$ 150                               | \$ 200                           |
| 4. Simple Motions  | \$ 250                                | \$ 375                              | \$ 500                               | \$ 625                           |
| 5. Complex Motions   |                                       |                                     |                                      |                                  |
| (a) opposed  | \$1,000                               | \$1,500                             | \$2,000                              | \$2,500                          |
| (b) unopposed  | \$ 500                                | \$ 750                              | \$1,000                              | \$1,250                          |
| 6. Agreement as to Contents of<br>Appeal Book  | \$ 100                                | \$ 200                              | \$ 300                               | \$ 400                           |
| 7. Preparation of Appeal Book  | \$ 250                                | \$ 500                              | \$ 750                               | \$1,250                          |
| 8. Preparation of Factum   | \$1,000                               | \$2,000                             | \$3,500                              | \$5,000                          |
| 9. All Other Preparation for Hearing   | \$ 500                                | \$ 750                              | \$1,000                              | \$1,250                          |
| 10. Appearance to Present Argument<br>on Appeal before Court of Appeal<br>(for each ½ day)   | \$ 300                                | \$ 400                              | \$ 500                               | \$ 600                           |
| Second Counsel<br>(when allowed by the Court,<br>for each ½ day)   | \$ 150                                | \$ 200                              | \$ 250                               | \$ 300                           |
| 11. Preparing Formal Judgment or<br>Order  | \$ 100                                | \$ 200                              | \$ 300                               | \$ 400                           |
| 12. Correspondence   | \$ 100                                | \$ 200                              | \$ 300                               | \$ 400                           |
| 13. Preparation of Bill of Costs   | \$ 100                                | \$ 150                              | \$ 200                               | \$ 250                           |
| 14. Taxation of Bill of Costs  | \$ 50/hour                            | \$ 75/hour                          | \$ 100/hour                          | \$ 125/hour                      |
| 15. For all other services, not otherwise<br>provided for the same fees as are<br>authorized by the tariff of solicitors’<br>fees in the court from which the<br>appeal is brought |                                       |                                     |                                      |                                  |
| 16. All necessary disbursements for which<br>there are proper vouchers   |                                       |                                     |                                      |                                  |

## SCHEDULE I

## "B"

## IN THE COURT OF QUEEN'S BENCH

|   | Column 1<br>under<br>\$5000 | Column 2<br>\$5000 and<br>under \$25,000 | Column 3<br>\$25,000 and<br>under \$100,000 | Column 4<br>\$100,000 and<br>over |
|---|-----------------------------|--|---|-----------------------------------|
| 1 Original pleading including inter alia, Statement of Claim, Statement of Defence, Reply, Originating Motions, Petitions, Counterclaims, Cross-Claims, and Service thereto | \$150.00                    | \$250.00                                 | \$350.00                                    | \$500.00                          |
| 2 Commencement of Third Party or additional Party Claims and Defences thereto   | 50.00                       | 200.00                                   | 300.00                                      | 400.00                            |
| 3 Demand for Particulars (If taxing officer considers Demand was necessary) and Reply to Demand   | 20.00                       | 100.00                                   | 125.00                                      | 150.00                            |
| 4 Amendment to Pleadings, subject to Rule 172; only in event required as result of adding a party, cause of action, or further defence                                      | 75.00                       | 125.00                                   | 175.00                                      | 250.00                            |
| 5 Motions and Applications  |                             |  |   |                                   |
| (a) Complex–  |                             |  |   |                                   |
| (i) opposed   | 100.00                      | 200.00                                   | 300.00                                      | 400.00                            |
| (ii) unopposed  | 50.00                       | 100.00                                   | 200.00                                      | 300.00                            |
| (b) Simple–   | 25.00                       | 50.00                                    | 100.00                                      | 150.00                            |
| (c) Brief of Law (unless not required in discretion of Judge hearing the Motion   | 50.00                       | 100.00                                   | 200.00                                      | 300.00                            |
| (d) Where viva voce evidence is called, an additional fee per hour after the first hour of hearing  | 50.00                       | 100.00                                   | 125.00                                      | 150.00                            |
| 6 Preparation by examining party for Examination for Discovery (per day of discovery or part thereof)   | 100.00                      | 300.00                                   | 400.00                                      | 500.00                            |
| 7 Examination for Discovery: for each 1/2 day of 2 1/2 hours with proportionate reduction if less   | 75.00                       | 200.00                                   | 300.00                                      | 400.00                            |
| 8 Notice to Produce Documents for Inspection  | 20.00                       | 30.00                                    | 40.00                                       | 50.00                             |
| 9 Statement as to Documents plus \$.50 for each additional document after 50  | 50.00                       | 100.00                                   | 200.00                                      | 300.00                            |
| 9(a) Affidavit as to Documents  | 100.00                      | 200.00                                   | 400.00                                      | 0                                 |

## TARIFF OF COSTS

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|  | Column 1<br>under<br>\$5000 | Column 2<br>\$5000 and<br>under \$25,000 | Column 3<br>\$25,000 and<br>under \$100,000 | Column 4<br>\$100,000 and<br>over |
|--|-----------------------------|--|---|-----------------------------------|
| 10 Preparation of witness for Trial or a reference upon which witnesses are examined viva voce   |                             |  |   |                                   |
| (a) where not more than two witnesses are examined   | 50.00                       | 200.00                                   | 400.00                                      | 700.00                            |
| (b) each additional witness  | 10.00                       | 40.00                                    | 75.00                                       | 100.00                            |
| 11 Notice to admit facts and/or admission of facts   | 25.00                       | 100.00                                   | 125.00                                      | 150.00                            |
| 12 Request for Trial and Certified Copy of Pleadings   | 25.00                       | 50.00                                    | 50.00                                       | 50.00                             |
| 13 Pre-trial conference attendance(s) per 1/2 day or part thereof:   |                             |  |   |                                   |
| (i) Settlement pre-trial   | 100.00                      | 200.00                                   | 300.00                                      | 400.00                            |
| (ii) Management pre-trial (if separate from settlement pre-trial)  | 50.00                       | 100.00                                   | 150.00                                      | 200.00                            |
| 14 Preparation of Trial Brief  | 100.00                      | 250.00                                   | 350.00                                      | 500.00                            |
| 15 Counsel fee at Trial per 1/2 day of 2 1/2 hours (with proportionate allowance if less than 2 1/2 hours)   |                             |  |   |                                   |
| (a) to first counsel   | 100.00                      | 200.00                                   | 350.00                                      | 500.00                            |
| (b) to second counsel; in discretion of trial judge, if considered necessary. Not to exceed 2/3 of first counsel   |                             |  |   |                                   |
| (c) written argument; if requested by Judge, similar rate per 1/2 day to trial   |                             |  |   |                                   |
| 16 Preparation and Issuance of Court Orders and Formal Judgments   | 30.00                       | 50.00                                    | 75.00                                       | 100.00                            |
| 17 Debt Enforcement (Issuance of Writ of Execution, Garnishee Summons, Replevin and Attachment Process), Garnishee Summons measured by amount recovered after exemptions | 30.00                       | 50.00                                    | 60.00                                       | 75.00                             |
| 18 Attending on references (per hour)  | 25.00                       | 50.00                                    | 75.00                                       | 100.00                            |
| 19 Obtaining payment out of Court ex parte   | 20.00                       | 30.00                                    | 40.00                                       | 50.00                             |
| 20 Correspondence  | 50.00                       | 200.00                                   | 300.00                                      | 400.00                            |
| 21 Instructions to Agents upon examinations by agents conducted elsewhere than at place of residence of solicitor  | 50.00                       | 100.00                                   | 200.00                                      | 300.00                            |
| 22 Settlement of action  |                             |  |   |                                   |
| (a) before Discoveries   | 50.00                       | 100.00                                   | 150.00                                      | 200.00                            |
| (b) after Discoveries  | 100.00                      | 200.00                                   | 300.00                                      | 400.00                            |

## TARIFF OF COSTS

|  | Column 1<br>under<br>\$5000 | Column 2<br>\$5000 and<br>under \$25,000 | Column 3<br>\$25,000 and<br>under \$100,000 | Column 4<br>\$100,000 and<br>over |
|--|-----------------------------|--|---|-----------------------------------|
| 23 Sale of Lands Under Order of Judgment (exclusive of attendance at sale) whether abortive or not   | 100.00                      | 200.00                                   | 300.00                                      | 400.00                            |
| 24 Solicitor Attending at Sale   |                             |  |   |                                   |
| (a) where solicitor resides in judicial centre   | 25.00                       | 50.00                                    | 75.00                                       | 100.00                            |
| (b) where solicitor does not reside in judicial centre   | 75.00                       | 100.00                                   | 125.00                                      | 150.00                            |
| 25 Entry of Judgment in default for a liquidated demand in ordinary cases  |                             |  |   |                                   |
| (a) in full satisfaction of all other fees   | 0                           | 350.00                                   | 450.00                                      | 600.00                            |
| (b) for each additional Defendant  | 0                           | 30.00                                    | 40.00                                       | 50.00                             |
| 26 Ordinary actions where the Defendants pays the whole of the claim before delivery of Defence (in satisfaction of all other fees other than taxable disbursements) | 0                           | 300.00                                   | 400.00                                      | 550.00                            |
| 27 (a) Preparation of Bills of Costs   | 50.00                       | 100.00                                   | 125.00                                      | 150.00                            |
| (b) Fee on taxation per hour   | 25.00                       | 50.00                                    | 75.00                                       | 100.00                            |
| 28 (a) Instructions for and preparation of all papers leading to seizure under judicial process  | 20.00                       | 30.00                                    | 40.00                                       | 50.00                             |
| (b) All applications entry of and filling Orders for Sale after seizure under judicial process   | 25.00                       | 50.00                                    | 75.00                                       | 100.00                            |
| 29 All necessary disbursements properly vouched for.   |                             |  |   |                                   |

The "Tariff of Costs, Schedule I, 'B', In the Court of Queen's Bench" annexed hereto is hereby adopted by the Court, and upon taking effect, the present such Tariff is hereby rescinded, subject to the requirement that fees for services performed prior to the new such Tariff taking effect shall be in accordance with the present such Tariff. Am. Gaz. Nov. 3/2000.

**SCHEDULE I****“C”****IN THE COURT OF QUEEN'S BENCH  
IN PROBATE AND ADMINISTRATION OF ESTATES MATTERS**

- 1** For the purposes of this Schedule, the value of the estate is the total of all assets of the estate being administered. Property not handled by the personal representative, such as joint property, insurance, annuities and pensions not payable to the estate, is not included in the value of the estate and the lawyer shall charge separately for services respecting that property.
- 2** For all necessary core services rendered, the fee allowed to the lawyer is:
  - (a) \$1,500 plus 1% of the first \$500,000 of the value of the estate;
  - (b) 3/4% on the next \$500,000 of the value of the estate; and
  - (c) 1/2% on the remaining value of the estate.
- 3** For non-core services or other services rendered for the estate and for the passing of accounts, the additional fee allowed to the lawyer is the fee provided for in Rule 745(3)".

Gaz. Jan. 6/2012.

## SCHEDULE I

“D”

**IN THE COURT OF QUEEN'S BENCH  
SMALL CLAIMS AND RENTALS MAN APPEALS TARIFF**

|  | Column 1<br>Under<br>\$5,000.00 | Column 2<br>\$5,000.00 -<br>\$9,999.99 | Column 3<br>\$10,000.00 -<br>\$14,999.99 | Column 4<br>\$15,000.00 or<br>more |
|--|---------------------------------|--|--|------------------------------------|
| Preparing, serving and filing appeal                   | \$ 25.00                        | \$ 50.00                               | \$ 75.00                                 | \$100.00                           |
| Attending at hearing of appeal,<br>including any brief | \$ 50.00                        | \$100.00                               | \$150.00                                 | \$200.00                           |
| Entry of judgment                                      | \$ 15.00                        | \$ 30.00                               | \$ 45.00                                 | \$ 60.00                           |

New. Gaz. Sep. 3, 2010.

## SCHEDULE II

**FEES PAYABLE TO THE REGISTRARS, LOCAL REGISTRARS,  
AND OFFICIAL ADMINISTRATORS OF THE COURT**

“A”

## IN THE COURT OF APPEAL

## REGISTRAR'S FEES

(Prescribed pursuant to *The Court of Appeal Act, 2000* by *The Court of Appeal Fees Regulations, 2000*)

| Column 1<br><u>Service</u>                                   | Column 2<br><u>Fee</u> |
|--|------------------------|
| 1 Filing a notice of appeal                                  | \$125                  |
| 2 Filing an appellant's appeal book and factum               | 100                    |
| 3 Issuing a formal judgment                                  | 20                     |
| 4 Filing a notice of motion                                  | 25                     |
| 5 Filing a cross-appeal                                      | 25                     |
| 6 Certifying a document                                      | 10                     |
| 7 Certifying a case on appeal to the Supreme Court of Canada | 50                     |
| 8 Setting down for pre-trial conference                      | 75                     |
| 9 Entering an order  | 20                     |
| 10 Appointment for taxation of costs                         | 20                     |
| 11 Issuing a certificate of taxation of costs                | 20                     |

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|    |   |   |
|----|---|---|
| 12 | On search of a file by the Registrar that was closed five or fewer years before the date of the search request, per name used in search (no search fee is payable by parties to a proceeding or their lawyers)  | 20  |
| 13 | On search of a file by the Registrar that was closed more than five years before the date of the search request, per name used in search (no search fee is payable by parties to a proceeding or their lawyers) | 40  |
| 14 | If the request for a search mentioned in item 12 or 13 also requests that the search be conducted on the day of the request (in addition to the fee required by item 12 or 13)                                  | 20  |
| 15 | Providing a search certificate respecting a search of a file (in addition to the fee required by item 12, 13 or 14)   | 20  |
| 16 | Photocopying charge, per page   | 50  |
| 17 | Retrieving and researching a file that was closed 20 or fewer years before the date of the request to retrieve the file   | 20 plus \$50 for each hour required to retrieve and research the file |
| 18 | Retrieving and researching a file that was closed more than 20 years before the date of the request to retrieve the file  | 50 plus \$50 for each hour required to retrieve and research the file |
| 19 | Receiving a faxed document from inside Saskatchewan, per page   | 1   |
| 20 | Receiving a faxed document from outside Saskatchewan, per page  | 1.25  |

For any service not herein specifically provided for there is payable the fee provided for a similar service set out in SCHEDULE II “B” - IN THE COURT OF QUEEN’S BENCH, LOCAL REGISTRAR’S FEES IN CIVIL MATTERS.

All fees are payable in advance unless other arrangements are made with the registrar to whom the fees are payable.

Gaz. 8 Apr 2011 SR 16/2001 s 4.



**SCHEDULE II**  
**“B”**  
**IN THE COURT OF QUEEN'S BENCH**

**TABLE 1**  
**[Section 9]**

**LOCAL REGISTRARS' FEES IN CIVIL MATTERS**

(Prescribed pursuant to *The Queen's Bench Act, 1998* by *The Queen's Bench Regulations*)

|   |  |       |
|---|--|-------|
| 1 | Commencement of an action or matter in court or in chambers by statement of claim, originating notice of motion, petition, notice of appeal, notice of motion, <i>ex parte</i> or otherwise:   |       |
|   | (a) to which section 5 applies .....   | \$200 |
|   | (b) respecting any proceeding pursuant to the <i>Divorce Act</i> (Canada) .....  | 200   |
|   | (c) respecting any other proceeding to which section 5 does not apply .....  | 100   |
| 2 | Filing a defence or answer (including counter-claim and counter petition where parties added, cross-claim, third party proceedings):   |       |
|   | (a) to which section 5 applies .....   | 100   |
|   | (b) respecting any proceeding pursuant to the <i>Divorce Act</i> (Canada) .....  | 100   |
|   | (c) respecting any other proceeding to which section 5 does not apply .....  | 30    |
| 3 | Setting down an action or matter for pre-trial conference, post-pleadings conference, trial or argument in court .....   | 75    |
| 4 | Hearing fee at trial after first five hours, per hour or fraction of an hour .....   | 15    |
| 5 | Entering an order or judgment (except a judgment in default) .....   | 20    |
| 6 | Filing a demand for jury (in addition to deposit for fees and expenses required by <i>The Jury Act, 1981</i> and in addition to the fee paid under item 3) .....   | 50    |
| 7 | On a reference to the local registrar, including taxation of costs, examining bond and affidavits, settling judgment or order, inquiry or taking accounts pursuant to an order (including a certificate or report required), per hour or fraction of an hour ..... | 15    |
| 8 | On issuing a garnishee summons, writ of replevin, attachment, execution or possession .....  | 10    |
| 9 | On money being paid into court (except in any proceeding to which item 1, 2 or 8 applies and maintenance payments) .....   | 10    |

## TARIFF OF COSTS

|    |   |               |
|----|---|---------------|
| 10 | On a search within five years (no search fee is payable by parties to a proceeding or their lawyers) .....  | 10            |
| 11 | Any other search .....  | 20            |
| 12 | Any certificate not otherwise provided for .....  | 10            |
| 13 | Filing a judgment, a decree or an order from another court .....  | 10            |
| 14 | For copied matter, in addition to certificate, if required, per page .....  | 0.50          |
| 15 | On swearing a witness for examination in aid of execution, for examination for discovery in an action from a foreign jurisdiction or as a special examiner, including a certificate, if required .....  | 10            |
| 16 | Packaging and forwarding file, plus disbursements .....   | 5             |
| 17 | On an application for judgment in an undefended proceeding pursuant to Part Forty-eight of The Queen's Bench Rules, including filing all papers, presenting to the judge, entering and mailing judgment, completing and mailing certificate ..... | 95            |
| 18 | <b>Repealed.</b> 12 Jly 2002 SR 58/2002 s4.   |               |
| 19 | For summoning of a jury and cancellation of the summoning where a demand for jury is withdrawn after a jury has been summoned by the sheriff.....   | 200           |
| 20 | For filing any interlocutory motion, notice or memorandum of relief in an ongoing action .....  | 10            |
| 21 | Hearing fee at chambers after first half day, per hour or fraction of an hour .....   | 15            |
| 22 | Receiving a faxed document for filing from a lawyer or party or sending a faxed copy of a court document at the request of a lawyer or party:   |               |
|    | (a) for in-province transmissions .....   | 1.00 per page |
|    | (b) for out-of-province transmissions .....   | 1.25 per page |

Gaz. 9 Jly 1999 cQ-1.01 Reg 1; Gaz. 2 Jly 2002 SR 58/2002 s4; Gaz. 6 Dec 2002 SR 108/2002 s4; Gaz. 9 Jly 2004 SR 61/2004 s8; 16 Apr 2010 SR 30/2010 s2.

**SCHEDULE II**

**“D”**

**REGISTRAR'S FEES FOR THE ADMINISTRATION OF ESTATES**

(Prescribed pursuant to *The Administration of Estates Act* by  
*The Administration of Estates Regulations*)

|   |   |          |
|---|---|----------|
| 1 | Each search:  |          |
|   | (a) if within five years .....  | \$ 10.00 |
|   | (b) if beyond five years .....  | 20.00    |
| 2 | Each certificate .....  | 10.00    |
| 3 | On filing a caveat, when filed with the registrar in the first instance .....   | 10.00    |
| 4 | Examining copies of instruments on file, when prepared by a lawyer, in addition to the fee for a certificate, if required, per page ..... | .50      |
| 5 | Photocopy of documents, in addition to fee for certificate, if required, per page .....   | .50      |

All fees are payable in advance unless other arrangements are made with the official to whom the fees are payable.

TABLE 1  
[Subsection 3(1)]

**LOCAL REGISTRARS' FEES FOR THE ADMINISTRATION OF ESTATES**

(Prescribed pursuant to *The Administration of Estates Act* by  
*The Administration of Estates Regulations*)

|   |   |         |
|---|---|---------|
| 1 | For services and proceedings pursuant to section 7 of the Act, a basic fee of \$30 and an additional fee of \$6 on each \$1,000 of sworn value or fraction of \$1,000 of sworn value. |         |
| 2 | On every application pursuant to section 9 of the Act .....   | \$ 30.  |
| 3 | On filing a caveat, including making a copy and forwarding it to the registrar .....  | \$ 10.  |
| 4 | For receiving or registering a will of a living person for safe keeping, including issuing a receipt for it .....   | \$ 10.  |
| 5 | For a certified copy of letters .....   | \$ 10.  |
|   | and, in addition, where there is a will, per page .....   | \$ 0.50 |
| 6 | For a certificate that no minors are interested in the estate of a deceased person .....  | \$ 25.  |

All fees are payable in advance unless other arrangements are made with the official to whom the fees are payable.

## TARIFF OF COSTS

**OFFICIAL ADMINISTRATOR FEES – ADMINISTRATION OF ESTATE***[Section 4]*

1 The fee payable to an official administrator for administering an estate, acting as an administrator *ad litem* or in any other way managing the affairs of a deceased person is an amount equal to the greater of:

- (a) \$300; and
- (b) if the value of the gross assets of the estate is:
  - (i) \$50,000 or less, 7% of that value;
  - (ii) more than \$50,000 but \$100,000 or less, \$3,500 plus 5% of the value in excess of \$50,000; or
  - (iii) more than \$100,000, \$6,000 plus 4% of the value in excess of \$100,000.

2 In addition to the fee payable pursuant to paragraph 1, an official administrator may charge, with respect to an estate file that has been open for 24 months or more:

- (a) a monthly fee in an amount equal to 1/12 of 1% of the gross assets of the estate; and
- (b) a fee equal to 5% of income received after the estate file has been open for 24 months.

3 An official administrator, where he or she considers it appropriate, may require an interim payment of a fee mentioned in this section during the administration of the estate.

4 Where, in the opinion of an official administrator, the work performed by him or her warrants a fee that is less than the fees mentioned in this section, the official administrator may charge a lesser fee.

**OFFICIAL ADMINISTRATOR FEES – SALE OF REAL PROPERTY***[Section 5]*

The following fees are payable to an official administrator for handling a real estate transaction on behalf of a deceased person's estate:

- (a) where a real estate agent is involved in the transaction, 1% of the purchase price, with a minimum fee of \$100 and a maximum fee of \$500;
- (b) where no real estate agent is involved in the transaction, 3% of the purchase price, with a minimum fee of \$100 and a maximum fee of \$500.

**OFFICIAL ADMINISTRATOR FEES – INCOME TAX RETURNS***[Section 6, 7 and 8]*

1 An official administrator may charge:

- (a) a fee of \$100 for each return of income prepared and filed by the official administrator on behalf of a deceased individual pursuant to paragraph 150(1)(b) of the *Income Tax Act* (Canada); and
- (b) a fee of \$100 for each return of income prepared and filed by the official administrator on behalf of an estate or trust pursuant to paragraph 150(1)(c) of the *Income Tax Act* (Canada).

2 Where, in the opinion of the official administrator, the work involved in preparing and filing a return of income warrants a fee that is greater than the fee mentioned in paragraph 1, the official administrator may charge a greater fee, to a maximum of \$300.

3 An official administrator may recover any actual and reasonable disbursement made on behalf of a deceased person's estate from that deceased person's estate.

4 Subject to paragraphs 5 and 6, the value of an estate is the value of all the real and personal property of a deceased person at the time of death.

5 In calculating the value of the property of a deceased person, there shall be deducted from the value the actual amount owed by the deceased person at the date of death on any loan, mortgage or agreement for sale relating to any real property in excess of any amount of insurance payable to discharge the loan, mortgage or agreement for sale.

6 The following assets are not to be considered as property of the deceased person in calculating the value of an estate:

- (a) real property held jointly by the deceased person and another person;
- (b) insurance payable to a named beneficiary;
- (c) *Canada Pension Plan* payments to a surviving spouse or child;
- (d) pensions and annuities payable to a spouse, child or any other named beneficiary;
- (e) joint deposit accounts;
- (f) personal property outside Saskatchewan, if the deceased person was domiciled outside Saskatchewan on the date of death;
- (g) real property outside Saskatchewan.

Gaz. 9 Jly 1999 cA-4.1 Reg 1.

**SCHEDULE III**  
**FEE PAYABLE TO SHERIFFS**  
**“A”**  
**IN THE QUEEN’S BENCH**

TABLE 4  
 [Section 10]

**SHERIFFS’ FEES**

(Prescribed pursuant to *The Queen’s Bench Act, 1998* by *The Queen’s Bench Regulations*)

|   |  |   |
|---|--|---|
| 1 | Service:   |   |
|   | (a)  | receiving, filing and serving on one person and returning any process together with an affidavit of service or attempted service ..... \$ 25  |
|   | (b)  | each additional party served ..... \$ 10  |
| 2 | Arrest or execution on goods and chattels or land: |   |
|   | (a)  | each arrest, execution or similar writ or order and return and for services provided pursuant to subsection 180(1) of <i>The Land Titles Act</i> with respect to each land registration district in which the writ is registered or withdrawn ..... \$ 10 |
|   | (b)  | executing any replevin, writ of delivery or other order, either in whole or in part, including approving a bond or other security and assigning the same and return:  |
|   | (i)  | up to \$5,000 ..... \$ 50   |
|   | (ii)   | over \$5,000 ..... \$ 50 plus 1% on the amount in excess of \$5,000   |
|   | (c)  | attending, investigating, inventorying, cataloguing, taking possession and preparing for sale, per hour or fraction of an hour for each person involved ..... \$ 25   |
|   | (d)  | poundage on the sum realized following sale:  |
|   | (i)  | when that sum is less than \$2,000 ..... 10%  |
|   | (ii)   | when that sum is \$2,000 or more but less than \$5,000 ..... \$ 200 plus 5% on the amount in excess of \$2,000  |
|   | (iii)  | when that sum is \$5,000 or more but less than \$100,000 ..... \$ 350 plus 2½% on the amount in excess of \$5,000   |
|   | (iv)   | when that sum is \$100,000 or more ..... \$ 2,725 plus 1% on the amount in excess of \$100,000  |

|  |  |
|--|--|
| (e) when payment is received from or on behalf of a debtor or a settlement is made by reason of the coercive effect of the writ, following seizure but prior to sale by the sheriff, the sheriff is entitled to receive poundage at the rate of: .....   | 50% of the amount provided in clause (d)   |
| 3 Executing a writ of possession of land, in part or in whole, delivery and return .....   | \$ 75 and for each succeeding day, per day, \$25   |
| 4 Fee for sheriff's services with respect to judicial sales of land pursuant to court order:   |  |
| (a) for adjourned, cancelled or aborted sales or when the realized value does not exceed \$25,000 .....  | \$ 250   |
| (b) when the realized value is \$25,000 or more but less than \$200,000 .....  | \$ 250 plus 1% on the amount in excess of \$25,000   |
| (c) when the realized value is \$200,000 or more .....   | \$ 2,000 plus one quarter of 1% on the amount in excess of \$200,000 to a maximum of \$5,000 |
| 5 Each interpleader application, including preparation and service of documents on one party and attendance in chambers .....  | \$ 50  |
| 6 Each additional party served .....   | \$ 10  |
| 7 Each search made by sheriff and certificate of result .....  | \$ 20  |
| 8 Each affidavit made (other than of service) including oath .....   | \$ 10  |
| 9 Each letter written as requested by a party or his or her lawyer respecting original writ, statement of claim or process .....   | \$ 5   |
| 10 Transportation Fee: For each kilometer travelled from the sheriff's office at twice the rate for persons using a privately owned automobile on government business established by the Public Service Commission pursuant to <i>The Public Service Regulations</i> , with a minimum charge of \$5.00 in each case. |  |
| 11 Disbursements: In every case, sheriffs are entitled to payment for all disbursements properly incurred.   |  |

All fees are payable in advance unless other arrangements are made with the official to whom the fees are payable.

Gaz. 9 Jly 1999 cQ-1.01 Reg 1.

**SCHEDULE IV**

**FEES PAYABLE TO WITNESSES, INTERPRETERS, JURORS, PHYSICIANS AND SURGEONS**

**“A”**

**FEES PAYABLE TO WITNESSES AND INTERPRETERS IN CIVIL PROCEEDINGS**

(Prescribed pursuant to Rule 562 of *The Queen’s Bench Rules*)

- (a) **“professional witness”** means a witness who is called to give evidence in consequences of professional services rendered by him and who is:
- (i) a barrister or solicitor;
  - (ii) a physician or surgeon;
  - (iii) a professional engineer;
  - (iv) a surveyor;
  - (v) a chartered accountant;
  - (vi) a certified public, accredited or general public accountant;
  - (vii) an architect;
  - (viii) a dentist;
  - (ix) a veterinary surgeon; or
  - (x) if the judge hearing the cause directs, a person who is:
    - (A) a member of a profession not mentioned in clauses (i) to (ix); or
    - (B) a person called to give expert evidence;
- (b) **“witness”** means a person called on to give evidence in a cause before a court who is:
- (i) not a party of that cause; or
  - (ii) if a corporation is a party, not an officer of that corporation.
- 1(1) The fee payable to a witness other than a professional witness or consultant for each day or part thereof that he travels to, from, or attends in Court is \$50.00.
  - (2) The fee payable for each half-day or part of a half-day for travel to, from, or attendance in Court
    - (a) to a professional witness is \$100.00,
    - (b) to a consultant called to give expert testimony is \$200.00 subject to increase at the discretion of the taxing officer, and
  - (3) A reasonable fee for preparation time and reasonable fee in the event of adjournment or settlement of the action prior to testimony in Court allowed at the discretion of the taxing officer.
  - 2 If a medical report arising out of an examination is admitted in evidence pursuant to *The Saskatchewan Evidence Act* and the physician or surgeon who made the report does not personally attend to give evidence, the fee payable to the physician or surgeon who made the report is \$200.00.
  - 3 The fee payable to an interpreter for each day of five hours that he attends in Court is \$100.00 subject to a proportionate reduction for each hour less than the said five hours.
  - 4 A witness or interpreter is entitled on submission of receipts to be paid his expenses for necessary travel, accommodation and meals at the rate that is approved for similar expenses incurred by members of the public service.
  - 5 A reasonable fee or expense actually paid for preparation of a plan, model, video tape, film, or photograph reasonably necessary for the conduct of a proceeding may be paid, notwithstanding that the preparer of the item does not attend and testify at the proceedings.

Gaz. 17 May 91 Part I.

## SCHEDULE IV

## “B”

## FEES PAYABLE TO JURORS

(Prescribed pursuant to *The Jury Act, 1981* by *The Jury Regulations*)

- 1 The fee payable to a juror:
  - (a) who attends for the purposes of civil jury selection is \$15 for each day or part of a day; and
  - (b) who is sworn to serve as a juror in a civil trial is \$25 for each day or part of a day.
- 1.1 The fee payable to a juror who attends court pursuant to a summons and is sworn to serve as a juror in a criminal proceeding is \$80 for each day or part of a day of jury service after the fifteenth day that the jury has served.
- 2 A juror is entitled to be paid for his or her travel expenses that the sheriff considers necessary at a rate equal to:
  - (a) 50% of the rate approved for those expenses for members of the public service, if the juror uses a private vehicle; or
  - (b) 100% of the rate approved for those expenses for members of the public service, if the juror uses public transportation.
- 3 A juror is entitled to be paid for his or her accommodation expenses that the sheriff considers necessary at a rate equal to the rate approved for those expenses for members of the public service.
- 4 A juror is entitled to be paid, in an amount that the sheriff considers reasonable, for his or her actual meal expenses that the sheriff considers necessary.

Gaz. 15 Jul 83 cJ-4.1 Reg 1; 24 Aug 90 SR 61/90; 18 Sep 92 SR 84/92; 6 Mar 92 SR 8/92; 24 /Sep 93 SR 67/93; 10 Jne 2005 SR 55/2005.

## SCHEDULE IV

## “C”

## FEES PAYABLE TO WITNESSES AND INTERPRETERS IN CRIMINAL PROCEEDINGS

(Prescribed pursuant to *The Queen’s Bench Regulations* and amendments)

In Items 1 to 4:

“**professional witness**” means a witness who is called to give evidence in consequence of professional services rendered by him or her and who is:

- (a) a lawyer;
- (b) a professional engineer;
- (c) a surveyor;
- (d) a chartered accountant, a certified general accountant or certified management accountant;
- (e) an architect;
- (f) a dentist;
- (g) a veterinary surgeon; or
- (h) if the judge hearing the action directs, a person who is:
  - (i) a member of a profession not mentioned in clauses (a) to (g); or
  - (ii) a person called to give expert evidence;

“**witness**” means a person called to give evidence in a criminal proceeding before a court who is not:

- (a) an accused in the proceeding; or
- (b) an officer of a corporation that is an accused in the proceeding.

- 1(1) No fee is payable to a witness other than a professional witness, consultant or physician or surgeon.
- (2) On the application of a professional witness, the Executive Director of Public Prosecutions, in his or her discretion, may authorize payment of a fee to a professional witness in an amount set out in Schedule IV "D" as a result of attending a criminal proceeding.
- 2 The fee payable for each half day or part of a half day of attendance in court:
  - (a) to a professional witness is \$52.50;
  - (b) to a consultant called to give expert testimony is \$72.50.
- 3 If a medical report is prepared at the request of a Crown prosecutor for use as evidence in a criminal proceeding, the fee payable to the physician or surgeon who prepared the report is:
  - (a) \$100 for a letter that is a factual report based on a review of office and hospital records that summarizes a patient's history, symptomatology, present condition and any investigation or therapy and the results of any intervention;
  - (b) \$250 for a report that expresses an expert opinion concerning cause and effect, long-term consequences, possible complications, extent of or degree of disability, or other similar matters.
- 4 The fee payable to an interpreter for each half-hour or part of a half-hour that the interpreter necessarily attends in court in a criminal proceeding is \$17.50.
- 5(1) A witness or interpreter:
  - (a) is entitled to be paid for meal expenses at the rates approved for members of the public service; and
  - (b) on submission of his or her receipts, is entitled to be paid for accommodation at the rate approved for members of the public service.
- (2) A witness or interpreter who submits receipts for his or her travel expenses is entitled to be paid for those expenses in an amount equal to:
  - (a) 50% of the rate approved for those expenses incurred by members of the public service, if the witness or interpreter uses a private vehicle; or
  - (b) 100% of the rate approved for those expenses incurred by members of the public service, if the witness or interpreter uses public transportation.
- (3) On the application of a witness, the Deputy Minister of Justice may, in his or her discretion, authorize payment of a fee to the witness in an amount not exceeding:
  - (a) the amount of wages lost by the witness as a result of attending a criminal proceeding;
  - (b) the cost incurred by the witness as a result of attending a criminal proceeding for hiring temporary labour or for child care; or
  - (c) subject to subsection (1), the actual amount of other expenses incurred as a result of attending a criminal proceeding.

Gaz. 9 Jly 1999 cQ-1.01 Reg 1.

## SCHEDULE IV

## “D”

TABLE 6  
[Section 13]

## TARIFF OF FEES FOR PHYSICIANS AND SURGEONS IN CRIMINAL PROCEEDINGS

(Prescribed pursuant to *The Queen’s Bench Regulations* and amendments)

|  | <u>General Practitioner</u> | <u>Specialist</u> |
|--|-----------------------------|-------------------|
| 1 Testimony – for the <i>first hour</i> or part of the <i>first hour</i> (includes preparation, pretrial briefing and waiting time):   |                             |                   |
| (a) For first court appearance during fiscal year <sup>1</sup>   | \$150                       | \$175             |
| – If testimony is <i>more than one hour</i> , for each subsequent quarter hour or major portion of a quarter hour  | 35                          | 40                |
| (b) For subsequent court appearance during the same fiscal year <sup>2</sup>   | 175                         | 200               |
| – If testimony is <i>more than one hour</i> , for each subsequent quarter hour or major portion of a quarter hour  | 40                          | 45                |
| 2 Cancellation Notice:<br>For Failure to give notification of adjournment or cancellation to the practitioner’s offices by noon of the work day prior to the date of scheduled court appearance notice | 125                         | 150               |

<sup>1</sup>fiscal year – April 1 to March 31<sup>2</sup>If the testimony is given during a subsequent court appearance during the same fiscal year, it is the responsibility of the witness to advise the prosecutor of the “subsequent” appearance status.Gaz. 9 Jly 1999 cQ-1.01 Reg 1; Gaz. 6 Jly 2001 cL-5.1  
Reg 4 s5.

## TARIFF OF COSTS

## SCHEDULE V

## FEES PAYABLE FOR COURT REPORTERS

## “A”

## COURT REPORTERS’ FEES

(Non-employees of the Government of Saskatchewan)

(Prescribed pursuant to *The Court Officials Act*, 1984 by *The Court Officials Regulations*)

The fees payable to court reporters who are not employees of the Government of Saskatchewan:

- |   |   |          |
|---|---|----------|
| 1 | Attendance at a trial by court reporter, maximum fee/hour .....   | \$ 35.00 |
| 2 | Trial transcript preparation, maximum fee per page for:   |          |
|   | (a) Original .....  | 2.75     |
|   | (b) Copy .....  | .30      |
| 3 | In the absence of one clear day’s notice of cancellation of trial there may be charged a cancellation fee as follows: |          |
|   | (a) 1 day trial .....   | 50.00    |
|   | (b) 2 day trial .....   | 75.00    |
|   | (c) 3 day trial or more .....   | 100.00   |

All fees are payable in advance unless other arrangements are made with the court reporter to whom the fees are payable.

Gaz. 4 Apr 85 cC-43.1 Reg 1; 14 Jly 89 SR 37/89.

## SCHEDULE V

## “B”

TABLE 5  
[Section 12]Fees for Transcript Services and  
Other Reproductions of Trial Proceedings

(Government of Saskatchewan)

| <i>Description of Service</i>   | <i>Fees (\$)</i> |
|---|------------------|
| 1. Trial transcript preparation, maximum fee per page or portion of a page for: |                  |
| (a) original .....  | \$ 2.75          |
| (b) expedited .....   | 3.50             |
| (c) copy .....  | 0.30             |
| 2. Reproduction of trial proceedings:   |                  |
| (a) copy on tape .....  | 5.00             |
| (b) copy on computer disk .....   | 20.00            |

7 Jly 2006 SR 71/2006 s4.

**SCHEDULE VI**FEES PAYABLE IN MATTERS PURSUANT TO *THE SMALL CLAIMS ACT, 1997***“B”****REGISTRAR’S AND LOCAL REGISTRAR’S FEES IN MATTERS TRIED PURSUANT TO  
THE SMALL CLAIMS ACT, 1997**(Prescribed pursuant to *The Queen’s Bench Act, 1998* by  
*The Queen’s Bench Regulations*)

- 1 Filing a certificate of judgment of Small Claims Court ..... \$ 10.00
- 2 Filing a notice of appeal to the Court of Queen’s Bench or to the  
Court of Appeal or filing an application to set aside judgment, including  
all subsequent steps to the appeal ..... 10.00
- 3 Filing an application for an extension of time within which to appeal ..... 10.00
- 4 Filing an application for an extension of time within which to file a  
transcript of the evidence heard in Small Claims Court ..... 10.00
- 5 For any service not herein specifically provided for there is payable for a similar service one half of  
the fee set out in **SCHEDULE II “B” - IN THE COURT OF QUEEN’S BENCH, LOCAL  
REGISTRAR’S FEES IN CIVIL MATTERS.**

Gaz. 9 Jly 1999 cQ-1.01 Reg 1.

**SCHEDULE VI****“C”****SHERIFF’S FEES IN MATTERS PURSUANT TO  
THE SMALL CLAIMS ACT, 1997**(Prescribed pursuant to *The Queen’s Bench Act, 1998* by *The Queen’s Bench Regulations*)

- 1 The fees payable to sheriffs with respect to matters tried in the Provincial Court of Saskatchewan  
pursuant to *The Small Claims Act, 1997* are 50% of the fees set out in **SCHEDULE III “A” -  
SHERIFFS’ FEES, IN THE QUEEN’S BENCH.**
- 2 Notwithstanding paragraph 1, sheriffs are entitled to payment in every case:
  - (a) For each kilometer travelled from the sheriff’s office at twice the rate for persons using a  
privately owned automobile on government business established by the Public Service  
Commission pursuant to *The Public Service Regulations*, with a minimum charge of \$5.00 in  
each case.
  - (b) For all disbursements properly incurred.

All fees are payable in advance unless other arrangements are made with the sheriff to whom the  
fees are payable.

Gaz. 9 Jly 1999 cQ-1.01 Reg 1.

**SCHEDULE VII****FEEES PAYABLE IN MATTERS PURSUANT TO  
*THE RESIDENTIAL TENANCIES ACT*****“A”****LOCAL REGISTRARS’ AND SHERIFFS’ FEES IN MATTERS PURSUANT TO  
*THE RESIDENTIAL TENANCIES ACT***

(Prescribed pursuant to *The Queen’s Bench Act, 1998* by *The Queen’s Bench Regulations*)

- |   |   |         |
|---|---|---------|
| 1 | Filing an order of the Rentalsman .....   | \$ 5.00 |
| 2 | Executing a writ of possession of land, in part or in whole, delivery and return .....  | 75.00   |
|   | and for each succeeding day, per day .....  | 25.00   |
| 3 | For any service not herein specifically provided for there is payable for a similar service one half of the fee set out in <b>SCHEDULE II “B” - IN THE COURT OF QUEEN’S BENCH, LOCAL REGISTRARS’ FEES IN CIVIL MATTERS.</b> |         |

All fees are payable in advance unless other arrangements are made with the official to whom the fees are payable.

Gaz. 9 Jly 1999 cQ-1.01 Reg 1.