

(Consolidated up to 139/2008)

**ALBERTA REGULATION 18/91**

**Provincial Court Act**

**PROVINCIAL COURT  
FEES AND COSTS REGULATION**

**Civil Division**

**1** The fees payable to the clerk of the Provincial Court are as follows:

- |   |            |
|---|------------|
| (a) for the issuance of a civil claim   |            |
| (i) for claims of \$7500 or less  | \$100.00;  |
| (ii) for claims exceeding \$7500  | \$200.00;  |
| (b) for filing a Notice of Application under Part 5 of the <i>Residential Tenancies Act</i> , including the preparation of any order granted by the Court |            |
| (i) for claims of \$7500 or less  | \$100.00;  |
| (ii) for claims exceeding \$7500  | \$200.00;  |
| (c) for each search of a name, including the inspection of one file   | \$10.00;   |
| (d) for inspection of a file  | \$10.00;   |
| (e) for each certification of a document  | \$10.00;   |
| (e.1) for certification of one copy of a document at time of filing document  | no charge; |
| (f) for a copy of a document, per page  | \$1.00;    |
| (g) for each transcript of evidence, each expedited transcript and each additional copy of a transcript of evidence to the same party, per page           |            |

as specified in  
Schedule E to the  
*Alberta Rules of Court*  
(Alta. Reg. 390/68)

AR 18/91 s1;220/93;47/2002;216/2002

**1.1** The clerk of the Court may waive the whole fee or part of the fee payable under section 1(a) or (b) by an individual who the clerk, applying the guidelines (if any) established by the Minister, considers is unable to pay that fee.

AR 216/2002 s3

**1.2(1)** The prescribed fee payable to a witness served a notice to attend a hearing is as follows:

- |                                     |          |
|-------------------------------------|----------|
| (a) for non-expert witness, per day | \$10.00; |
| (b) for an expert witness, per day  | \$20.00. |

(2) The expense payable to a witness for transportation to attend a hearing is as follows:

- |  |  |
|--|--|
| (a) subject to clause (b), using a private motor vehicle,  | the amount set out in section 15 of the <i>Public Service Subsistence, Travel and Moving Expenses Regulation</i> ; |
| (b) if in a judge's opinion public transportation can be used on a timely basis and an amount should not be paid under clause (a), | the actual cost of public transportation.  |

AR 139/2008 s2

**2** The costs payable as between parties are as follows:

- |   |           |
|---|-----------|
| (a) for the issuance of a civil claim   |           |
| (i) for claims of \$7500 or less  | \$100.00; |
| (ii) for claims exceeding \$7500  | \$200.00; |
| (b) for filing a Notice of Application under Part 5 of the <i>Residential Tenancies Act</i> , including the preparation of any order granted by the Court |           |
| (i) for claims of \$7500 or less  | \$100.00; |
| (ii) for claims exceeding \$7500  | \$200.00; |
| (c) for each search of a name, including the inspection of one file   | \$10.00;  |
| (d) for each inspection of a file   | \$10.00;  |

- (e) for service of a civil claim
- (i) by a private process server the actual cost to a maximum of \$50.00;
  - (ii) by a method of mailing as designated in the *Provincial Court Act* the actual cost;
  - (iii) as directed by the Court as fixed by the judge;
- (f) for conducting a search of any registry maintained by the Government of Canada, the Government of Alberta or a local authority the actual cost;
- (g) repealed AR 216/2002 s4;
- (h) for the prescribed fee paid to a witness to attend a hearing
- (i) for a non-expert witness, per day \$10.00;
  - (ii) for an expert witness, per day \$20.00;
  - (i) for the expense paid to a witness for transportation to attend a hearing
    - (i) subject to subclause (ii), using a private motor vehicle, the amount set out in section 15 of the *Public Service Subsistence, Travel and Moving Expenses Regulation*;
    - (ii) if in a judge's opinion public transportation can be used on a timely basis and an amount should not be paid under subclause (i), the actual cost of public transportation;
- (j) repealed AR 216/2002 s4;
- (k) in respect of a default judgment entered by the clerk under section 40(1) of the *Provincial Court Act*, the costs shall be the actual costs in an amount not exceeding the following:
- (i) for the issuance of a civil claim

- |  |  |
|--|--|
| (A) for claims of \$7500 or less   | \$100.00;                                |
| (B) for claims exceeding \$7500  | \$200.00;                                |
| (ii) for filing a Notice of Application under Part 5 of the <i>Residential Tenancies Act</i> , including the preparation of any order granted by the Court         |  |
| (A) for claims of \$7500 or less   | \$100.00;                                |
| (B) for claims exceeding \$7500  | \$200.00;                                |
| (iii) for service of a civil claim   |  |
| (A) by a private process server  | the actual cost to a maximum of \$50.00; |
| (B) by a method of mailing as designated in the <i>Provincial Court Act</i>  | the actual cost;                         |
| (C) as directed by the Court   | as fixed by the judge;                   |
| (iv) for conducting a search of any registry maintained by the Government of Canada, the Government of Alberta or a local authority                                |  |
|  | the actual cost.                         |
| (l) on an application or hearing, payment for additional classes of costs not otherwise specified in clauses (a) to (k) may be awarded, in the judge's discretion. |  |

AR 18/91 S2; 220/93; 251/2001;216/2002;139/2008

**Criminal Division  
Family and Youth Division**

**3** The fees payable to the clerk of the Court are as follows:

- |   |          |
|---|----------|
| (a) for each search of a name, including the inspection of one file | \$10.00; |
| (b) for each inspection of a file                                   | \$10.00; |
| (c) for a copy of a document, per page                              | \$1.00;  |

- (d) for each certification of a document \$10.00.
- (e) repealed AR 220/93 s4.

AR 18/91 s3; 220/93

### All Divisions

**3.1(1)** The this section, “peace officer” means

- (a) a member of the Royal Canadian Mounted Police,
  - (b) a member of a municipal police service within the meaning of the *Police Act*;
  - (c) a special constable within the meaning of the *Police Act*,
  - (d) a person whose legal functions include written authorization to issue violation tickets under Part 2 or 3, or both, of the *Provincial Offences Procedure Act*, or
  - (e) a person appointed under the regulations under the *National Defence Act* (Canada) for the purposes of section 156 of that Act
- (2) Notwithstanding anything in this Regulation, fees for the search of a name, the inspection of a file or a copy or the certification of a document are not payable by a peace officer when the service in question is required in the execution or discharge of the peace officer’s duties.

AR 216/2002 s5

**3.2** Notwithstanding anything in this Regulation, fees for the search of a name, the inspection of a file or a copy or the certification of a document are not payable by an employee of the Department of Justice (Canada) when the service in question is required for the recovery of amounts owing under offences under Acts of the Parliament of Canada

AR 91/2003 s2

**4** *The Small Claims Division of the Provincial Court Tariff of Fees Regulation (Alta. Reg. 145/80) is repealed.*

AR 18/91 s4

**5** *This Regulation comes into force on February 1 1991.*

AR 18/91 s5