



Province of Alberta

PROVINCIAL COURT ACT

PROVINCIAL COURT FEES REGULATION

Alberta Regulation 18/1991

With amendments up to and including Alberta Regulation 176/2019

Current as of January 1, 2019

Office Consolidation

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(Consolidated up to 176/2018)

ALBERTA REGULATION 18/91

Provincial Court Act

PROVINCIAL COURT FEES REGULATION

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Civil Division

Fees payable

1 The fees payable to the clerk of the 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;
- (a.1) for filing a dispute note without a counterclaim \$25.00;
- (a.2) for filing a dispute note with a counterclaim,
 - (i) for counterclaims of \$7500 or less \$75.00;
 - (ii) for counterclaims exceeding \$7500 \$125.00;
- (a.3) for filing a third party claim \$50.00;

- | | | |
|-------|---|--|
| (a.4) | for filing an application in the course of an action or proceeding | \$50.00; |
| (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 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 and for each additional copy of a transcript of a court proceeding | as specified
in Schedule
B to the
<i>Alberta Rules
of Court</i>
(AR 124/2010). |

AR 18/91 s1;220/93;47/2002;216/2002;164/2010;71/2015

Waiver of fees

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

AR 216/2002 s3;71/2015;76/2015

1.2 Repealed AR 176/2018 s56.

2 Repealed AR 176/2018 s56.

Criminal Division and Family and Youth Division

Fees payable

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

- (a) for filing a claim under the *Family Law Act* or an application under the *Extra-provincial Enforcement of Custody Orders Act* \$50.00;
- (a.1) 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;71/2015

Waiver of fees

3.01 The clerk of the Court may waive the whole fee or part of the fee payable under section 3(a) by an individual who the clerk, applying the guidelines, if any, established by the Minister of Justice and Solicitor General, considers is unable to pay that fee.

AR 76/2015 s1

All Divisions

Fee exemption: peace officers

3.1(1) In 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

Fee exemption: Justice Canada

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

Waiver of fees

3.3(1) In this section,

- (a) "certificate" means a Legal Aid Certificate issued by the Legal Aid Society of Alberta;
- (b) "document" means any document that may be filed or issued for which a fee is payable under section 1(a) to (b) or section 3(a).

(2) If requested to file or issue a document, the clerk of the Court must waive the fee otherwise payable if presented with a subsisting certificate issued in respect of the person for whom the document is to be filed or issued.

AR76/2015 s1

Repeal

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

AR 18/91 s4

Coming into force

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

AR 18/91 s5



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