



Tuvalu

PEOPLE'S LAWYER (FEES) REGULATIONS

LN No. 5 of 2012

MADE UNDER SECTION 7(B) OF THE PEOPLE'S LAWYER ACT

Commencement [1st January, 2013]

1 Citation and commencement

These Regulations may be cited as the People's Lawyer (Fees) Regulations and shall come into effect on 1 January 2013.

2 Definitions

An “**exempt person**” under these Regulations means a Tuvalu citizen who:

- (a) has earned less than \$4,000 in the 12 month period preceding the date of the application; and
- (b) has assets (excluding land) of less than \$1,000.

3 Fees

- (1) Subject to regulation 4(3), the People’s Lawyer shall charge a fee for his service;

Provided that the People’s Lawyer shall not charge any person a fee in respect of an initial visit.

- (2) A person who is a Tuvalu citizen shall be charged the amount of the fee prescribed under Schedule 1.
- (3) A Tuvaluan business, governmental or non profit organisation shall be charged two times the amount of the fee prescribed under Schedule 1.

- (4) A person who is not a Tuvalu citizen shall be charged three times the amount of the fee prescribed under Schedule 1.
- (5) An overseas business, governmental or non profit organisation shall be charged five times the amount of the fee prescribed under Schedule 1.

4 Application for fee waiver

- (1) An exempt person may submit an application to the People's Lawyer for a waiver of the fee prescribed under Schedule 1.
- (2) An application for a waiver of fee must be accompanied by a declaration as to means in the form prescribed in Schedule 2.
- (3) The People's Lawyer shall consider and determine the application for a waiver of fee and make his decision known to the applicant.
- (4) A person aggrieved by the decision of the People's Lawyer may apply to the High Court under section 5 of the **People's Lawyers Act**.

SCHEDULE 1
Fees
(Regulation 3(2))

<u>Legal Service</u>	<u>Amount (\$)</u>
1. Criminal Cases	
Appointment fee and general advice	\$20 per hour
Legal representation	
(a) High Court & Court of Appeal	\$20 per hour
(b) Senior Magistrate's Court	\$10 per hour
(c) Island Court	\$10 per hour
2. Civil Cases	
Appointment fee and general advice	\$20 per hour
Legal representation	
(a) Court of Appeal	\$30 per hour
(b) High Court	\$20 per hour
(c) Senior Magistrate Court	\$10 per hour
(d) Lands Court and Lands Appeal Panel	\$10 per hour
(e) Island Court	\$10 per hour
(f) Any other tribunal	\$10 per hour
3. Drafting	
Drafting of employment contracts, constitutions, wills, lease agreements, tenancy agreements or any other legal instruments	\$20 per hour
4. Clerical service	
Service of Documents	\$10

SCHEDULE 2

(Regulation 4(2))

DECLARATION AS TO MEANS

I _____ of _____, solemnly and sincerely
declare that:

- 1. I am a citizen of Tuvalu.
- 2. I have earned less than \$4,000 in the last 12 month period.
- 3. I have less than \$1,000 in assets (not including land).
- 4. I have _____ children whom I am supporting.
- 5. I am unable to pay any legal fees.

I realise that I may be liable to prosecution for a false statement made in a declaration.

.....
(Applicant)

.....
(Date)

.....
Commissioner of Oath/Senior Magistrate