

20 _____ G _____

In the Supreme Court of Newfoundland and Labrador
General Division

BETWEEN: APPLICANT

AND: RESPONDENT

Application for fee waiver and/or costs exemption

Please note that an application for fee waiver is governed by rule 7.19 – a copy of this rule may be found in the appendix at the end of this form.

The application of _____ (*insert name of person applying*), requests that the fees payable pursuant to the *Supreme Court Fees Regulations* be waived in whole or in part.

PART A – COMPLETE THIS PART IF YOU WANT THE COURT TO WAIVE OR REDUCE THE FEES PAYABLE FOR YOUR COURT PROCEEDING

1. I, _____ am

(*please tick one box below*)

in receipt of income support under the *Income and Employment Support Act* and **I have attached documentary support of this to this application.**

not in receipt of income support.

Please complete the following only if you have answered “not in receipt of income support” for question 1.

2. My annual income for the last three years was:

\$ _____ (Year: _____)

\$ _____ (Year: _____)

\$ _____ (Year: _____)

Please attach documentary support for these figures (Notices of Assessment from the Canada Revenue Agency, pay stubs, etc.) to this application– please note that failure to include this information may result in your application being denied.

3. Please set out details of your monthly expenses:

Please attach documentary support for these figures (bills, etc.) to this application – please note that failure to include this information may result in your application being denied.

4. Please detail the nature of your claim, defense, appeal, etc. (you may also attach a copy of the document you intend to file if your application for a fee waiver/reduction is granted).

5. Please set out any other information you think the Court should know about your ability to pay the fees required:

Please attach documentary support for this information to this application—please note that failure to include this information may result in your application being denied.

**PART B – COMPLETE THIS PART IF YOU ARE SEEKING TO HAVE FEES
WAIVED TO CONDUCT PUBLIC INTEREST RESEARCH**

6. Please detail the nature of your research:

6. Please set out an estimate of costs you will incur to complete this research:

I, _____, the Applicant, declare the contents of the within application are true to the best of my information and belief.

SWORN TO (OR AFFIRMED) at _____ (*city/town*)
in the Province of _____ this _____ day of _____
(*month*), 20____.

Commissioner of Oaths, Notary Public,
Barrister, etc.

Applicant's signature

Appendix A - Waiver or reduction of fees

7.19. (1) A person may apply to the Court to have the fees payable pursuant to the Supreme Court Fees Regulations waived or reduced.

(2) An application pursuant to this rule shall be in Form 7.19A and may be accompanied by an affidavit or supporting documents.

(3) An application pursuant to this rule may be made without notice to any other party.

(4) No fee shall be charged for an application pursuant to this rule or for any affidavit or documents filed in support of it.

(5) No document filed in support of an application pursuant to this rule may be used for any other purpose unless any required fees are paid or waived.

(6) Upon receipt of an application pursuant to this rule, the registrar shall

(a) waive the fees payable if the registrar is satisfied that the applicant is in receipt of income support under the Income and Employment Support Act, or

(b) forward the application to a judge.

(7) The Court may allow an application summarily at any time.

(8) The Court may allow an application in whole or in part if

(a) paying the fee would

(i) constitute an undue hardship for the applicant, and

(ii) prevent the applicant from advancing a non-frivolous and non-vexatious claim or defense; or

(b) the fee for accessing or copying documents would prevent the applicant from pursuing studies, reporting, or research in the public interest.

(9) In exercising its discretion under this rule, the Court may consider whether

(a) the applicants claim, application, notice, defense, or filing

(i) discloses no reasonable claim or defence,

(ii) is scandalous, frivolous, or vexatious,

(iii) may prejudice, embarrass, or delay the course of a proceeding, or

(iv) is otherwise an abuse of the Courts process;

(b) the applicants claim, application, notice, defense, or filing is pursued in good faith in the public interest;

(c) the applicants claim, application, notice, defense, or filing raises a question of public importance;

(d) the applicants proposed studies, reporting, or research is pursued in good faith in the public interest;

(e) the Court has already waived fees for the applicant; and

(f) the applicant has filed every document in the applicants control that might support the applicants claim.

(10) Where a person files an application under rule (1), the person may file a document without paying the associated filing fee where the filing is necessary to meet a time limit set out in legislation or these rules.

(11) Where a person files a document under rule (10), the filing will be voided by the Court, unless

(a) the fee for filing the document is waived by order of the Court; or

(b) the person filing the document pays the fee payable within 10 days of the dismissal of the application made pursuant to this rule or the filing of an order of the Court reducing the fee normally payable.

(12) Despite rule (10), time limits in these rules which begin to run from the date the document is filed do not start until either the date on which

(a) the order waiving the applicable fee is filed; or

(b) any required filing fee is paid.