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## CONTENTS

No.

Page

### LEGAL NOTICES

170	High Court (Amendment) (Assessor's Fees) Rules 2003 .....	834
171	National Assembly Election (Vacation of seat) .....	836
	Notice 2003	

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## LEGAL NOTICE NO. 170 OF 2003

**High Court (Amendment) (Assessor's Fees) Rules 2003**

In exercise of the powers conferred on me by section 16 read with 4 of the High Court Act, 1978<sup>1</sup> and section 23(g) of the Interpretation Act, 1977<sup>2</sup>, I,

**MAHAPELA LEBOHANG LEHOHLA**

Chief Justice, make the following Rules:

**Citation and commencement**

1. These Rules may be cited as the High Court (Amendment) (Assessors' Fees), 2003 and shall be read as one with the High Court Rules, 1980 (hereinafter referred to as "the principal rules") and shall come into operation on the date of their publication in the Gazette.

**Insertion of new rule**

2. The Principal rules are amended by inserting after rule 54 the following new rule -

**"Tariff of fees for assessors**

54A. The fees and allowances to be payable to assessors shall be as prescribed in the Sixth Schedule."

**Insertion of Sixth Schedule**

3. The High Court Rules, 1980 are amended by inserting after the Fifth Schedule the following new Schedule:

**"SIXTH SCHEDULE  
TARIFF OF FEES AND ALLOWANCES FOR ASSESSORS  
(Rule 54A)**

**FEES**

(1) For every attendance when the case is wholly or partially heard or when

judgement is delivered - M300.00

- (2) For every attendance when the case is not heard and is withdrawn or postponed, or in the case of a civil matter when it is settled - M200.00.
- (3) For every attendance for the purpose of deliberations with the presiding judge if such deliberations occur otherwise than in the course of an attendance under (1) above - M200.00.
- (4) In the case of an expert assessor for every attendance irrespective of whether the case is heard, not heard, withdrawn or postponed - M600.00.

## ALLOWANCES

- (1) When an assessors' place of residence is 30 kilometres or more away from the Court, and his or her attendance is required on the day or days following the first day of hearing of a case and the assessor does not wish to, or it is inconvenient for him or her to return home, he or she shall be entitled to an accommodation allowance of M220.00 per night.
- (2) An assessor whose residence or place of business is more than 3 kilometres from the Court shall be paid a travelling allowance of M2.00 a kilometre if travelling in his or her own vehicle, or to a refund of the fare actually paid in travelling by public transport.
- (3) The High Court (Amendment) (Assessors' Fees) Rules, 2001<sup>3</sup> are repealed.”.

DATED:

**MAHAPELA LEBOHANG LEHOHLA**  
**CHIEF JUSTICE**

1. Act No. 5 of 1987
2. Act No. 19 of 1977
3. L.N. No. 39 of 2001

LEGAL NOTICE NO. 171 OF 2003

**National Assembly Election (Vacation of seat) Notice 2003**

Pursuant to Section 145 (2) of the National Assembly Election Act<sup>1</sup>, the

**Independent Electoral Commission**

Hereby notifies the public that a vacancy has occurred in the National Assembly in the Constituency of Thaba-Putsoa No. 39 due to the death of the Hon. M. P. Mokoena, who passed away on the 19th September 2003.

**ABEL LESHELE THOHLANE**  
**CHAIRMAN OF THE INDEPENDENT ELECTORAL COMMISSION**

**NOTE**

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<sup>1</sup> Act No. 10 of 1992