



AUSTRALIAN CAPITAL TERRITORY

Magistrates Court Act 1930
Coroners Act 1956

**DETERMINATION OF FEES AND CHARGES APPLICABLE IN THE
MAGISTRATES COURT, THE SMALL CLAIMS COURT AND THE CORONER'S
COURT**

DETERMINATION NO. 166 OF 1996

1. Under subsection 248A(1) of the *Magistrates Court Act 1930*, with effect from 29 July 1996, I **REVOKE** Determination No. 65 of 1995 and, with effect from 29 July 1996, I **DETERMINE** the fees and charges set out in the Schedule to this Determination to be the fees and charges payable under section 248B of that Act, subject to the provisions for the exemption and deferral of liability set out in the Schedule; and
2. under subsection 74(1) of the *Coroners Act 1956*, with effect from 29 July 1996, I **REVOKE** Determination No. 61 of 1995 and, with effect from 29 July 1996, I **DETERMINE** the fees and charges set out in items 6, 7 and 8 of the Schedule to this Determination to be the fees and charges payable under section 75 of that Act, subject to the provision for the deferral of liability set out in the Schedule.

Dated: 16 July 1996


A handwritten signature in black ink, appearing to read 'Gary Humphries', with a long horizontal line extending to the right.

GARY HUMPHRIES
ATTORNEY-GENERAL

SCHEDULE

FEES AND CHARGES TO BE PAID

ITEM	MATTER IN RESPECT OF WHICH A FEE IS PAYABLE	FEE PAYABLE (\$)
1.	For the laying of an information under section 26 of the <i>Magistrates Court Act 1930</i>	29.00
2.	Subject to item 4, for the provision of a certificate under subsection 143(1) of the <i>Magistrates Court Act 1930</i>	22.00
3.	Subject to item 4, for the provision of a copy of a document referred to in paragraph 144(1)(a), (c) or (d) of the <i>Magistrates Court Act 1930</i> where the provision of the copy requires the drawing up of a relevant document	22.00
4.	Where, for the purposes of subsections 143(1) or 144(1) of the <i>Magistrates Court Act 1930</i> , a copy can be provided by the photocopying of another document -	
	(a) in respect of the application for a copy	2.00
	(b) for each page of copy provided in accordance with the application referred to in paragraph 4(a)	1.00
5.	For the purposes of subsection 147(2C) of the <i>Magistrates Court Act 1930</i>	56.00
6.	In respect of requests for copies of documents, not being applications under subsections 143(1), 144(1) or 255C(1) of the <i>Magistrates Court Act 1930</i> or applications under subsection 418(1) of the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i> -	
	(a) for each request for a copy or copies of a document or documents (regardless of the number of documents to which the request relates)	2.00
	(b) for each page of copy provided in accordance with a request referred to in paragraph 6(a)	1.00
7.	For each page of copy of a document or documents copied by a person, other than an officer of the Magistrates Court, the Small Claims Court or the Coroner's Court, using a Court photocopier	0.20




 Attorney-General's Initials

SCHEDULE

FEES AND CHARGES TO BE PAID

ITEM	MATTER IN RESPECT OF WHICH A FEE IS PAYABLE	FEE PAYABLE (\$)
8.	For the purposes of section 255C of the <i>Magistrates Court Act 1930</i> or for the supply of a copy of a transcript or a copy thereof of an inquest or inquiry in the Coroner's Court -	
	(a) for each page of a transcript (including preparation of the transcript)	8.25
	(b) for each page of a copy of the transcript	1.00
	The fees in this item apply also in respect of the provision of transcripts and copies of transcripts of proceedings in the Small Claims Court.	
9.	For the institution of proceedings under the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i> -	
	(a) where the amount in dispute is \$10,000 or more	278.00
	(b) where the amount in dispute is less than \$10,000	77.00
	(c) for an application to the Magistrates Court where no amount of money is in dispute	77.00
	(d) for an application under subsection 13A(1) of the <i>Motor Traffic Act 1936</i> or under subsection 36(2) or 40(1) of the <i>Motor Traffic (Alcohol and Drugs) Act 1977</i>	77.00
10.	For the institution of proceedings under the <i>Small Claims Act 1974</i> -	
	(a) where the amount in dispute is \$2,000 or more	77.00
	(b) where the amount in dispute is less than \$2,000	31.00
	(c) in the case of proceedings where no money amount is in dispute	31.00
11.	For serving, and for each attempt to serve, by post, originating process under section 24 of the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i>	12.00



 Attorney-General's Initials

SCHEDULE


FEES AND CHARGES TO BE PAID

ITEM	MATTER IN RESPECT OF WHICH A FEE IS PAYABLE	FEE PAYABLE (\$)
12.	For up to 3 attempts to serve, otherwise than by post, an originating process, a summons, a notice or other civil process at the same address, whether or not the service is successful	56.00
	This item does not apply to service of a claim by the Registrar of the Small Claims Court or in those instances where a charge under item 13 is also payable.	
13.	For up to 3 attempts to execute process, other than of the Small Claims Court, at the same address, whether or not the execution is successful	180.00
14.	For up to 3 attempts to execute process of the Small Claims Court at the same address, whether or not the execution is successful	56.00
15.	For the purposes of subsection 418(1) of the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i> -	
	(a) in respect of an application (regardless of the number of documents to which the application relates)	2.00
	(b) for each page of copy provided in accordance with an application referred to in paragraph 15(a)	1.00

These fees apply also to applications and copies provided under subsection 44C(3) of the *Small Claims Act 1974*.

16.	For the review of an order, direction or other act of the Registrar of the Magistrates Court.	77.00
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No fee is payable for a review of an order, direction or other act of the Registrar of the Small Claims Court.




 Attorney-General's Initials

SCHEDULE

FEES AND CHARGES TO BE PAID

ITEM	MATTER IN RESPECT OF WHICH A FEE IS PAYABLE	FEE PAYABLE (\$)
17.	For an inspection under section 419 of the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i> of a record of the Magistrates Court that contains particulars of -	12.00
	(a) a judgment that has been entered under section 43 of the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i> ; or	
	(b) the setting aside of such a judgment under section 221 of the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i>	
	This fee applies also to an inspection under subsection 44C(1) of the <i>Small Claims Act 1974</i> .	
18.	On filing for taxation a bill of costs as between party and party that, as filed, exceeds \$2,000	214.00
	This item does not apply to matters in the Small Claims Court.	
19.	For the issue of a summons under subsection 187(1) of the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i> or under section 20 of the <i>Small Claims Act 1974</i> :	
	(a) to give evidence	11.00
	(b) for production and to give evidence	22.00
	(c) for production	22.00
	No fee is payable under this item if no fee for filing a document in the proceeding is payable.	
20.	For the supply of a duplicate audio tape recording of a proceeding or of part of a proceeding or of a matter incidental to a proceeding - per cassette	30.00
21.	For the supply of a duplicate video tape recording of a proceeding or of part of a proceeding or of a matter incidental to a proceeding - per tape	40.00



 Attorney-General's Initials

SCHEDULE

FEES AND CHARGES TO BE PAID

ITEM	MATTER IN RESPECT OF WHICH A FEE IS PAYABLE	FEE PAYABLE (\$)
22.	For the supply of a computer disk containing a record of a proceeding or of part of a proceeding or of a matter incidental to a proceeding - per disk	10.00

EXEMPTION FROM LIABILITY FOR PAYMENT

No fee for filing a document or fee for the service or execution of process is payable in relation to proceedings under the *Birth (Equality of Status) Act 1988*.

Note: other exemptions from the payment of fees are set out in section 248C of the Magistrates Court Act.

DEFERRAL OF LIABILITY FOR PAYMENT

The Registrar of the Magistrates Court, the Registrar of the Small Claims Court and the Registrar of the Coroner's Court may defer liability for the payment of a fee or charge for the performance of a function or the provision of a facility or service, in whole or in part, for a period not in excess of 14 days if, in the Registrar's opinion, payment cannot be made at the time of the request for the function, facility or service, but payment could be made within 14 days after the making of the request.



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Attorney-General's Initials