



**AUSTRALIAN CAPITAL TERRITORY**

***Magistrates Court Act 1930***  
***Coroners Act 1997***

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

**INSTRUMENT No. 148 of 1999**

1. This determination comes into operation on 1 July 1999.
2. Under subsection 248A(1) of the *Magistrates Court Act 1930* and under subsection 94(1) of the *Coroners Act 1997*, I **REVOKE** Determination No. 95 of 1998.
3. Under subsection 248A(1) of the *Magistrates Court Act 1930*, 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.
4. Under subsection 94(1) of the *Coroners Act 1997*, I **DETERMINE** the fees and charges set out in item 7 of the Schedule to this Determination to be the fees and charges payable under section 95 of that Act, subject to the provision for the deferral of liability set out in the Schedule.

Dated: 24<sup>th</sup> June 1999

**GARY HUMPHRIES**  
Attorney-General

**SCHEDULE - FEES AND CHARGES TO BE PAID**

<b>Item</b>	<b>Matter in respect of which a fee or charge is payable</b>	<b>Amount Payable</b>
1.	For the laying of an information under section 26 of the <i>Magistrates Court Act 1930</i> .	\$50
2.	Subject to item 4, for the provision of a certificate under subsection 143(1) of the <i>Magistrates Court Act 1930</i> .	\$25
3.	Subject to item 4, for the provision of a copy of a document referred to in paragraphs 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.	\$25
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
	(b) for each page of copy provided in accordance with the application referred to in paragraph 4(a).	\$1
5.	For the purposes of paragraph 150(1)(a) of the <i>Magistrates Court Act 1930</i> .	\$60
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 494(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
	(b) for each page of copy provided in accordance with a request referred to in paragraph 6(a).	\$1
7.	For the purposes of subsection 255C(1) of the <i>Magistrates Court Act 1930</i> or for the supply of a transcript or a copy thereof of all or part of the hearing 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

**SCHEDULE - FEES AND CHARGES TO BE PAID**

<b>Item</b>	<b>Matter in respect of which a fee or charge is payable</b>	<b>Amount Payable</b>
8.	For the institution of proceedings under the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i> , other than the institution of proceedings under Part XXII of that Act:	
	(a) where the amount in dispute is more than \$10,000;	\$300
	(b) where the amount in dispute is \$10,000 or less;	\$85
	(c) for an application to the Magistrates Court where no amount of money is in dispute.	\$85
9.	For a cross-claim or counter-claim under the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i> , other than the institution of proceedings under Part XXII of that Act:	
	(a) where the amount is more than \$10,000;	\$300
	(b) where the amount is \$10,000 or less.	\$85
10.	For the institution of proceedings under Part XXII of the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i> :	
	(a) where the amount in dispute is more than \$2,000;	\$85
	(b) where the amount in dispute is \$2,000 or less;	\$35
	(c) subject to item 10(d), in the case of proceedings where no money amount is in dispute;	\$35
	(d) for a determination under the <i>Common Boundaries Act 1981</i> .	\$85
	For a cross-claim or counter-claim under Part XXII of the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i> :	
	(a) where the amount in dispute is more than \$2,000;	\$85
	(b) where the amount in dispute is \$2,000 or less;	\$35
	(c) subject to item 10(d), in the case of proceedings where no money amount is in dispute;	\$35
	(d) for a determination under the <i>Common Boundaries Act 1981</i> .	\$85

**SCHEDULE - FEES AND CHARGES TO BE PAID**

<b>Item</b>	<b>Matter in respect of which a fee or charge is payable</b>	<b>Amount Payable</b>
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> .  (Note: this item does not apply to the service of an application under Part XXII of the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i> .)	\$15
12.	Subject to the paragraph below, for up to 3 attempts to serve at the same address, otherwise than by post, an originating process, a summons, a notice or other civil process, whether or not the service is successful.  This item does not apply in relation to proceedings under Part XXII of the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i> .	\$60
13.	For up to 3 attempts to execute process at the same address, other than the execution of process in relation to proceedings under Part XXII of the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i> , whether or not the execution is successful.	\$195
14.	For up to 3 attempts to execute process at the same address in relation to proceedings under Part XXII of the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i> , whether or not the execution is successful.	\$60
15.	For the purposes of subsection 494(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
	(b) for each page of copy provided in accordance with an application referred to in paragraph 15(a).	\$1
16.	Subject to the paragraph below, for the review of an order, direction or other act of the Registrar of the Magistrates Court.  This item does not apply to the review of an order, direction or other act of the Registrar in relation to proceedings under Part XXII of the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i> .	\$85

**SCHEDULE - FEES AND CHARGES TO BE PAID**

<b>Item</b>	<b>Matter in respect of which a fee or charge is payable</b>	<b>Amount Payable</b>
17.	A. For an inspection under section 495 of the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i> of: <ul style="list-style-type: none"> <li>(a) a record of the Magistrates Court that contains particulars of a judgment that has been entered under section 43 of the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i>;</li> <li>(b) a record of the Magistrates Court that contains particulars of the setting aside of such a judgment under section 221 of the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i>;</li> <li>(c) a record of the Magistrates Court that contains particulars of a Default Judgment within the meaning of Part XXII of the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i> or a Restoration Order under section 443 of that Act setting aside such a judgment; or</li> <li>(d) any other record of the Magistrates Court by a person, not being a party to those proceedings, provided that the Registrar is satisfied that the applicant has a good reason for carrying out such search.</li> </ul>	\$15 per item or \$100 per hour of search time carried out by registry staff on behalf of the applicant
18.	Subject to the paragraph below, on filing for taxation a bill of costs as between party and party that, as filed, exceeds \$2,000  This item does not apply in relation to proceedings under Part XXII of the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i> .	\$230
19.	Subject to the paragraph below, for the issue of a summons under subsection 187(1) or 444(1) of the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i> : <ul style="list-style-type: none"> <li>(a) to give evidence;</li> <li>(b) for production and to give evidence;</li> <li>(c) for production.</li> </ul>	\$15 \$25 \$25

No fee is payable under this item if no fee for filing a document in the proceeding is payable.

**SCHEDULE - FEES AND CHARGES TO BE PAID**

<b>Item</b>	<b>Matter in respect of which a fee or charge is payable</b>	<b>Amount Payable</b>
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.	\$35
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.	\$45
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.	\$15
23.	For lodging for enforcement a judgment obtained in another court.	\$50
24.	For the court undertaking the oral examination of a debtor.	\$50

**EXEMPTION FROM LIABILITY FOR PAYMENT**

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

(Note: other exemptions are set out in section 248C of the Magistrates Court Act.)

**DEFERRAL OF LIABILITY FOR PAYMENT**

The Registrar of the Magistrates 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.