

1993

AUSTRALIAN CAPITAL TERRITORY LEGISLATIVE ASSEMBLY

SUPREME COURT ACT 1933

SUPREME COURT (FEES) REGULATIONS (AMENDMENT)

EXPLANATORY STATEMENT

Circulated by authority of

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SUPREME COURT (FEES) REGULATIONS (AMENDMENT)

Section 37 of the *Supreme Court Act 1933* provides that the Executive may make regulations prescribing the fees or other payments to be paid to officers of the Court in respect of certain matters and making provision in relation to the payment or remission of such fees or other payments.

These regulations amend the Supreme Court (Fees) Regulations (the Principal Regulations) made under section 37. The regulations amending the fees commence on 1 January 1994.

Subregulation 2(1) of the Principal Regulations provides that, subject to these Regulations, the fees payable in respect of proceedings in the Court or the service or execution of the process of the Court by officers of the Court are the fees respectively specified in the Schedule. Regulation 3 amends the filing fee set out in item 1 of the Schedule and inserts items 2, 3 and 6 into the Schedule introducing fees in respect of appeals from decisions of the Master or the Registrar and for the taxing of party/party bills of costs in excess of \$2,000 as filed. The full Schedule of fees is set out below. The current fees are shown in brackets.

SCHEDULE FEES	\$
1. On filing a document whereby a proceeding in the Court (other than a motion referred to in item 4 or an interlocutory or incidental proceeding in the course of, or in connection with, a proceeding) is commenced	400 (330)
2. On filing a document to commence an appeal from the Master or the Registrar in an interlocutory proceeding	100 (Nil)
3. On filing a document to commence an appeal from the Master or the Registrar in a proceeding other than an interlocutory proceeding	400 (Nil)
4. On filing a notice of motion for admission to practise or for enrolment, or on lodging an application for registration, under the <i>Legal Practitioners Act 1970</i>	200 (200)

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| 5. For the supply of each certificate of enrolment additional to a certificate of enrolment provided on such admission, enrolment or registration | 30 (30) |
| 6. On filing for taxation a bill of costs as between party and party that, as filed, exceeds \$2,000 | 200 (Nil) |
| 7. 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 (2) |
| 8. For each page included in a copy furnished in accordance with a request referred to in item 7 | 1 (1) |
| 9. For each page copied by a person, other than an officer of the Court, using a photocopier at the offices of the Court | 0.20 (0.20) |
| 10. For - | 50 (50) |
| (a) each service of process, including up to 2 attempts to serve; or | |
| (b) up to 3 attempts to serve process | |
| 11. For opening the offices of the Court - | |
| (a) between 9.00 a.m. and 9.15 a.m. or between 4.15 p.m. and 5.00 p.m. on a day other than a Saturday, Sunday or public holiday; or | 50 (50) |
| (b) at any time | 100 (100) |
| (i) on a Saturday, Sunday or public holiday; or | |
| (ii) outside the hours of 9.00 a.m. to 5.00 p.m. on a day of the week other than a day referred to in subparagraph (i). | |

Regulation 4 of the Principal Regulations, which sets the fee for the execution or attempted execution of process, is not affected by these amendments.

Revenue/cost implications

The amendments will return some additional revenue.