

AUSTRALIAN CAPITAL TERRITORY

MAGISTRATES COURT (CIVIL JURISDICTION) (SOLICITORS' COSTS
REGULATIONS (AMENDMENT)

EXPLANATORY STATEMENT

No. 24 of 1988

The amending Regulations amend the Magistrates Court (Civil Jurisdiction) (Solicitors' Costs) Regulations ('the Principal Regulations') to prescribe revised scales of solicitors' costs for civil proceedings in the Court.

The amendment is consequent upon the amendment to the Magistrates Court (Civil Jurisdiction) Ordinance 1982 to increase the monetary limit to the civil jurisdiction of the Magistrates Court from \$10,000 to \$50,000.

The amending Regulations replace the existing costs schedules 1 and 2 with new schedules. The new schedules incorporate the previous costs scales (including the percentage increases applied to those scales since the schedules were last reprinted) for actions involving amounts up to \$10,000.

The new schedules also prescribe new costs scales for actions involving amounts between \$10,001 and \$50,000. The amounts prescribed for each item in these scales are designed to allow an appropriate level of costs having regards to the range of the increase in the monetary limit to the Court's jurisdiction.

The details of the amending Regulations are as follows:

Regulation 1 commences the amending Regulations on 3 January 1989 which is the same date as the date for commencement of the amendment to the Magistrates Court (Civil Jurisdiction) Ordinance 1982 which increases the civil jurisdiction of the Court.

Regulation 2 defines the "Principal Regulations" as the Magistrates Court (Civil Jurisdiction) (Solicitors' Costs) Regulations.

Regulation 3 repeals regulations 6 to 10 inclusive of the Principal Regulations. Those regulations provided for percentage increases in the scales of costs contained in the previous schedules.

Regulation 4 repeals the existing schedules 1 and 2 and substitutes new schedules 1 and 2.

Regulation 5 is a transitional provision which provides that the Principal Regulations in force prior to the commencement of the amending Regulations continue to apply to work done or services performed before that commencement.

Authorised by the Minister
for Justice