

AUSTRALIAN CAPITAL TERRITORY

COURT OF PETTY SESSIONS (CIVIL JURISDICTION) (FEES) REGULATIONS
(AMENDMENT)

EXPLANATORY STATEMENT

No. 19 of 1985

The Regulations amend the Court of Petty Sessions (Civil Jurisdiction) (Fees) Regulations for the purpose of prescribing Court fees for the inspection of records of default judgments, and orders setting aside such judgments, in the A.C.T. Court of Petty Sessions.

The Regulations are made under the Court of Petty Sessions (Civil Jurisdiction) Ordinance 1982 which was amended by the Court of Petty Sessions (Civil Jurisdiction) (Amendment) Ordinance (No.2) 1984 to allow any person, on payment of the prescribed fee (if any), to inspect a register of default judgments (which are a matter of public record) maintained by the Court of Petty Sessions. A default judgment is entered by the Court where a claim for debt is not defended. Similar provision was also made for the inspection of a register of the Court containing particulars of orders setting aside default judgments.

Details of the amending Regulations are as follows:

Regulation 1 defines the 'Principal Regulations' to mean the Court of Petty Sessions (Civil Jurisdiction) (Fees) Regulations.

Regulation 2 inserts a new Regulation 3 in the Principal Regulations which provides that no fee is payable by a party to proceedings or the legal representative of that party, for inspecting a default judgment (or an order setting aside such a judgment) entered in those proceedings.

Regulation 3 amends the Schedule to the Principal Regulations by inserting new items 6 and 7.

Item 6 prescribes a fee of \$2 for inspecting a default judgment entered in the Court or an order setting aside such a judgment.

Item 7 prescribes a fee of \$2000 for inspecting all default judgments entered in the Court, and orders setting aside such judgments, entered or made during a particular financial year commencing on or after 1 July 1985.

Authorised by the
Attorney-General