

AUSTRALIAN CAPITAL TERRITORY

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

EXPLANATORY STATEMENT

No. 30 of 1982

The Regulations are made under the Court of Petty Sessions (Civil Jurisdiction) Ordinance 1982 (“the Ordinance”) for the purposes of prescribing Court fees for proceedings brought in the Australian Capital Territory Court of Petty Sessions.

The Ordinance increases the civil jurisdiction of the A.C.T. Court of Petty Sessions to \$10,000 (from \$2,500) and introduces a revised civil procedure for the Court. A revised schedule of Court fees is necessary to take account of this increase in the Court’s jurisdiction and the revised procedure.

The Regulations are based on the current fees Rules for civil proceedings in the Court of Petty Sessions under the Court of Petty Sessions Ordinance 1930. The amounts of the fees take into account increases in the Consumer Price Index since the current fees were last increased in 1980 as well as the increased jurisdiction of the Court. The Regulations provide for a fee on commencing proceedings in the Court of \$20. This compares with \$10 previously in the Court of Petty Sessions and \$90 in the Supreme Court (where some of the proceedings would have had to be brought but for the increase in the civil jurisdiction of the Court of Petty Sessions). The increase has been off-set by provision for a fee of \$3 for the service by the Clerk of originating process by post (a procedure introduced for the first time under the Ordinance). The fee for service of process by the bailiff will be \$14 (previously \$12). The fees for an application for copies of transcripts and documents will be increased to 55¢ (from 50¢) and for each page of such copies to 20¢ (from 15¢).

Regulation 1 provides that the Regulations may be cited as the Court of Petty Sessions (Civil Jurisdiction) (Fees) Regulations.

Regulation 2 defines “the Ordinance” for the purposes of the Regulations.

Regulation 3 prescribes the matters and Court fees (as specified in the Schedule to the Regulations) for the purposes of section 292 of the Ordinance and prescribes, for the purposes of section 255C (3) of the Court of Petty Sessions Ordinance 1930, the fee for an application for a copy and for each page of a copy of the record or transcript of proceedings in the Court.

Authorised by the Attorney-General