

Court Procedures (Fees) Determination 2026

Disallowable instrument DI2026–112

made under the

Court Procedures Act 2004, s 13 (Determination of fees)

EXPLANATORY STATEMENT

Section 13 of the *Court Procedures Act 2004* (the Act) provides that the Minister may determine fees under the Act for a number of purposes, including—

- proceedings in a court or the ACT Civil and Administrative Tribunal (the ACAT) and matters incidental to the proceedings;
- facilities and services provided by the court or the ACAT; and
- the service and execution of the process of a court of the Commonwealth, a State, another Territory or a foreign country.

A determination may provide for—

- exempting people from liability to pay determined fees, completely or partly, in all or particular circumstances;
- remitting, refunding or waiving, by a registrar of a court or the ACAT, determined fees, completely or partly, in particular circumstances;
- deferring by a registrar of a court or the ACAT, liability to pay determined fees, completely or partly, in particular circumstances.

The new determination sets the fees that will apply beginning on 1 July 2026 and repeals the *Court Procedures (Fees) Determination 2025 DI2025-125*. Fees in the – 2026-2027 financial year have been generally increased from fees in the previous financial year by a Wages Price Index (WPI) of 3.25% plus an additional 0.35%, rounded down to the nearest dollar, with the exception of fees that have been consecutively rounded down in previous years by more than \$1.00 which have been rounded up to the nearest dollar.

Following the triennial review of all fees and charges, fee items 1014 and 1306 increased above WPI. These fee items have remained unchanged over the last three years, and the adjustment ensures they are aligned with comparable fees in other jurisdictions. Item 1020 has been removed to avoid confusion for applicants. It was considered unnecessary given the Registrar’s existing broad discretion regarding refunds.

This approach aligns with the 2026-27 Treasury Guideline for Fees and Charges.

Explanatory notes in the determination list the fees previously determined to enable comparison.