

WORKMEN'S COMPENSATION ORDINANCE

WORKMEN'S COMPENSATION RULES*

REGULATIONS 1968, No. 12†

The Second
Schedule.

1. The Second Schedule to the *Workmen's Compensation Rules* is repealed and the following Schedule inserted in its stead:—

THE SECOND SCHEDULE

SCALE OF COSTS

Rule 59.

Column 1	Column 2	Column 3	Column 4
Proceedings or matter	Where the subject matter does not exceed \$100 (lowest scale)	Where the subject matter exceeds \$100 but does not exceed \$200 (second scale)	Where the subject matter exceeds \$200 but does not exceed \$400
	\$	\$	\$
1. Costs generally—			
(1) Instructions for application for arbitration and preparing and filing application ..	6.00	8.00	10.00
(2) Preparing answer of respondent or any other notice, including filing and service ..	6.00	8.00	10.00
(3) Preparing case for applicant or respondent ..	16.00	20.00	24.00
(4) Letter before arbitration ..	1.00	2.00	2.00
(5) Attending arbitration—			
For first three hours or portion thereof ..	16.00	20.00	24.00
For each subsequent hour or portion of an hour ..	4.00	5.00	6.00
(6) Preparing any other necessary or proper notice not otherwise provided for in this Schedule ..	2.00	2.00	2.00
(7) Preparing any necessary or proper application to the Court not provided for in this Schedule, including copies of documents, filing and service ..	4.00	5.00	6.00
(8) Preparing any memorandum under the Fourth Schedule to the Ordinance, including filing ..	4.00	5.00	6.00
(9) Preparing any other necessary or proper document not otherwise provided for in this Schedule, including filing ..	2.00	2.00	2.00
(10) Praecept for payment into Court, including filing ..	2.00	2.00	2.00
(11) Any attendance not otherwise provided for which the clerk deems necessary and not for a purpose which could have been effected by any previous or subsequent attendance allowed ..	2.00	2.00	2.00
(12) Instruction for special affidavit ..	2.00	2.00	2.00
(13) Drawing bill of costs for taxation, including copy for the Clerk—per folio ..	0.40	0.40	0.40
(14) In any other matter for which no provision is made in this Schedule the costs shall not exceed those allowable in the Court of Petty Sessions if the matter arose in a complaint in that Court ..			
(15) Where the subject matter exceeds \$400 but does not exceed \$2,000, the scale of costs is the scale specified in Column 4 of this Schedule increased by twenty-five percent ..			
(16) Where the subject matter exceeds \$2,000, the scale of costs is the scale specified in Column 4 of this Schedule increased by fifty percent ..			

* For the Workmen's Compensation Rules in force immediately before the commencement of this Rule, see page 663 of Vol. III. of "Laws of the Australian Capital Territory 1911-1959".

† Made under the *Workmen's Compensation Ordinance* 1951-1968 on 9 December 1968; notified in the *Commonwealth Gazette* and commenced on 19 December 1968.

THE SECOND SCHEDULE—continued

Column 1	Column 2	Column 3	Column 4
Proceedings or matter	Where the subject matter does not exceed \$100 (lowest scale)	Where the subject matter exceeds \$100 but does not exceed \$200 (second scale)	Where the subject matter exceeds \$200 but does not exceed \$400
	\$	\$	\$
2. The Court fees, Bailiff's fees and witnesses' fees and mileage which may be included in any costs awarded shall not exceed the amounts, respectively, specified in the Third, Fourth and Fifth Schedules to these Rules			
3. Disbursements not otherwise provided for in these Rules may be allowed, if in the opinion of the Arbitrator, Committee or the Court, they are necessary in the circumstances			

2.—(1.) In this rule, "the commencing date" means the date upon which notification of the making of these Rules is published in the *Gazette*. Application,

(2.) Subject to this rule, the costs to be paid to a party to proceedings commenced before the commencing date by another party to those proceedings shall not exceed the amounts respectively specified in the Second Schedule to the *Workmen's Compensation Rules* as in force immediately before the commencing date.

(3.) Where, in proceedings commenced before the commencing date, any work referred to in an item of the Second Schedule to the *Workmen's Compensation Rules*, as amended by these Rules, is performed on or after the commencing date, the costs to be paid in relation to that work shall not exceed the amount specified in that item.

(4.) For the purposes of the last preceding sub-rule, where, in an item in the Second Schedule to the *Workmen's Compensation Rules*, as amended by these Rules, a reference to the filing of a document is included, and such a document is filed on or after the commencing date, the work to which that item relates shall be deemed to have been performed after the commencing date.

(5.) The Second Schedule to the *Workmen's Compensation Rules*, as amended by these Rules, applies to and in relation to all proceedings commenced on or after the commencing date.

(6.) For the purposes of this rule, proceedings shall be deemed to have been commenced on the date on which the application for arbitration is filed.