



Australian Capital Territory

Magistrates Court (Civil Jurisdiction) (Solicitors' Costs) Regulation 1982 (repealed)

SL1982-31

made under the

Magistrates Court (Civil Jurisdiction) Act 1982

Republication No 7

Effective: 10 January 2005

Republication date: 10 January 2005

As repealed by A2004-60 s 4

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Magistrates Court (Civil Jurisdiction) (Solicitors' Costs) Regulation 1982* (repealed), made under the *Magistrates Court (Civil Jurisdiction) Act 1982*, including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes). It also includes any commencement, amendment, repeal or expiry affecting the republished law to 10 January 2005.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



Australian Capital Territory

Magistrates Court (Civil Jurisdiction) (Solicitors' Costs) Regulation 1982 (repealed)

made under the

Magistrates Court (Civil Jurisdiction) Act 1982

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Australian Capital Territory

Magistrates Court (Civil Jurisdiction) (Solicitors' Costs) Regulation 1982 (repealed)

made under the

Magistrates Court (Civil Jurisdiction) Act 1982

R7
10/01/05

Magistrates Court (Civil Jurisdiction) (Solicitors' Costs)
Regulation 1982 (repealed)
Effective: 10/01/05

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1 Name of regulation

This regulation is the *Magistrates Court (Civil Jurisdiction) (Solicitors' Costs) Regulation 1982*.

2 Definitions for regulation

In this regulation:

Note A definition applies except so far as the contrary intention appears (see Legislation Act, s 155).

prescribed percentage means—

- (a) if the relevant amount is less than \$10 000—33%; or
- (b) if the relevant amount is not less than \$10 000 but is less than \$25 000—67%; or
- (c) if the relevant amount is not less than \$25 000 but is less than \$40 000—80%; or
- (d) if the relevant amount is not less than \$40 000—90%.

relevant amount—see the Act, section 259.

3 Prescribed costs to be specified in claim

Subject to section 7 and section 8, for the Act, section 18 (4) (c), the prescribed costs are—

- (a) in relation to a special claim—the costs ascertained in accordance with schedule 1, item 1; and
- (b) in relation to an ordinary claim—the costs ascertained in accordance with schedule 2, item 2.

4 Prescribed costs on entry of default judgment on special claim

Subject to section 8, for the Act, section 43, the prescribed costs are the costs ascertained in accordance with the scale of costs set out in schedule 1.

5 Scale of costs—general

Subject to section 7, for the Act, section 259, the prescribed scale of costs is the scale of costs set out in schedule 2.

7 Costs of ordinary claims—application of Supreme Court Rules

- (1) In relation to work done or services performed on or after 1 January 1991 in relation to an ordinary claim—
 - (a) for the Act, section 18 (4) (c)—the prescribed costs are the amount mentioned in the *Supreme Court Rules*, order 3 rule 2 (a) multiplied by the prescribed percentage; and
 - (b) for the Act, section 259—the prescribed scale of costs is the scale set out in schedule 3, multiplied by the prescribed percentage.
- (2) In subsection (1):

schedule 3 means the *Supreme Court Rules*, schedule 3.

8 Costs of special claims—application of Supreme Court Rules

In relation to work done or services performed on or after 1 January 1991, in relation to a special claim, the prescribed costs are—

- (a) for the Act, section 18 (4) (c)—the amount mentioned in the *Supreme Court Rules*, order 3 rule 2 (a), multiplied by the prescribed percentage; and

- (b) for the Act, section 43—the amount mentioned in the *Supreme Court Rules*, order 3 rule 3 (2), multiplied by the prescribed percentage.

Schedule 1 Scale of solicitors' costs—special claims

(see s 3 and s 4)

item	matter	Costs				
		if relevant amount does not exceed \$2 000	if relevant amount exceeds \$2 000 but does not exceed \$5 000	if relevant amount exceeds \$5 000 but does not exceed \$10 000	if relevant amount exceeds \$10 000 but does not exceed \$25 000	if relevant amount exceeds \$25 000 but does not exceed \$40 000
		\$	\$	\$	\$	\$
	issue of special claim and entry of judgment by default					
1	instructions to sue including letter before action, preparation and issuing of special claim and copies (To be entered on special claim)	67.10	84.35	112.45	126.50	134.95
						151.80

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Schedule 1 Scale of solicitors' costs—special claims

		Costs					
		if relevant amount does not exceed \$2 000	if relevant amount exceeds \$2 000 but does not exceed \$5 000	if relevant amount exceeds \$5 000 but does not exceed \$10 000	if relevant amount exceeds \$10 000 but does not exceed \$25 000	if relevant amount exceeds \$25 000 but does not exceed \$40 000	if relevant amount exceeds \$40 000
item	matter						
2	on entry of final judgment under the Act, section 41—in addition to item 1	20.30	24.95	33.55	37.40	39.90	44.90
	in addition if a special claim is served outside the ACT and an order is made by the court for leave to proceed in the proceedings	20.30	24.95	33.55	37.40	39.90	44.90

Schedule 2 Scale of solicitors' costs—general

(see s 3 and s 5)

item	matter	Costs				
		if relevant amount does not exceed \$2 000	if relevant amount exceeds \$2 000 but does not exceed \$5 000	if relevant amount exceeds \$5 000 but does not exceed \$10 000	if relevant amount exceeds \$10 000 but does not exceed \$25 000	if relevant amount exceeds \$25 000 but does not exceed \$40 000
	issue of claim, notice of grounds of defence, reply, third-party notice	\$	\$	\$	\$	\$
1	instructions to sue including letter before action, preparation and issuing of claim and copies (To be entered on ordinary claim)	92.95	116.30	154.60	174.45	186.05
2	instructions to defend, including perusal of particulars of claim, preparation of notice of grounds of defence, copies and filing	77.30	96.80	128.75	145.20	154.85
	in addition if cross-claim pleaded	36.70	46.00	60.85	69.05	73.65

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Magistrates Court (Civil Jurisdiction) (Solicitors' Costs) Regulation 1982 (repealed)

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Schedule 2 Scale of solicitors' costs—general

item	matter	Costs				
		if relevant amount does not exceed \$2 000	if relevant amount exceeds \$2 000 but does not exceed \$5 000	if relevant amount exceeds \$5 000 but does not exceed \$10 000	if relevant amount exceeds \$10 000 but does not exceed \$25 000	if relevant amount exceeds \$25 000 but does not exceed \$40 000
3	perusal of notice of grounds of defence (if necessary and if item 4 is not applicable) ...	6.25	8.60	10.90	12.90	13.80
4	instructions for reply, if necessary, including perusal of notice of grounds of defence, preparation of reply, copies and filing	31.95	39.80	53.05	59.70	63.65
	in addition if defendant sets up a cross-claim	9.40	11.65	15.65	17.50	18.70
5	preparation of third-party notice, or notice claiming contribution or indemnity, including filing and service	53.05	67.10	89.00	100.65	107.35
	particulars					
6	request for further and better particulars including copies and perusal of further and better particulars	15.65	20.30	26.50	30.45	32.45

item	matter	Costs				
		if relevant amount does not exceed \$2 000	if relevant amount exceeds \$2 000 but does not exceed \$5 000	if relevant amount exceeds \$5 000 but does not exceed \$10 000	if relevant amount exceeds \$10 000 but does not exceed \$25 000	if relevant amount exceeds \$25 000 but does not exceed \$40 000
7	preparing further and better particulars including copies, filing and service and perusal of request	40.60	50.80	67.10	76.15	81.25
	discovery					
8	notice for discovery including filing and service and perusal of affidavit of discovery	28.10	35.15	46.80	52.70	56.20
9	affidavit of discovery including instructions, preparation, copies, attendances, filing and service	81.15	101.45	135.80	152.15	162.30
	interrogatories					
10	interrogatories for examination of 1 party including instructions, preparation, copies, filing, service and perusal of answers	45.35	56.20	74.90	84.35	89.95
11	answers to interrogatories of 1 party including instructions, preparation, copies, attendances, filing, service and perusal of interrogatories	59.30	74.90	99.95	112.40	119.85

Schedule 2 Scale of solicitors' costs—general

		Costs					
item	matter	if relevant amount does not exceed \$2 000	if relevant amount exceeds \$2 000 but does not exceed \$5 000	if relevant amount exceeds \$5 000 but does not exceed \$10 000	if relevant amount exceeds \$10 000 but does not exceed \$25 000	if relevant amount exceeds \$25 000 but does not exceed \$40 000	if relevant amount exceeds \$40 000
	notices						
12	(a) notice to admit including copies, filing, service and perusal of admissions	26.50	32.75	43.75	49.15	52.40	58.95
	(b) admissions including copies, filing, service and perusal of notice to admit	45.20	56.20	74.90	84.35	89.95	101.20
13	notice to produce at hearing including preparation and service	14.05	17.25	23.45	25.85	27.55	31.00
14	notice of payment into court or notice of acceptance including copies, filing and service	35.95	44.55	59.30	66.80	71.25	80.20
15	any necessary notice undertaking consent or memorandum (not otherwise provided for) including copies, filing and service	17.10	21.10	28.10	31.60	33.75	37.95
	motions						
16	notice of motion including instructions, preparation, copies, issuing and service	42.15	53.05	70.25	79.55	84.85	95.50

item	matter	Costs					
		if relevant amount does not exceed \$2 000	if relevant amount exceeds \$2 000 but does not exceed \$5 000	if relevant amount exceeds \$5 000 but does not exceed \$10 000	if relevant amount exceeds \$10 000 but does not exceed \$25 000	if relevant amount exceeds \$25 000 but does not exceed \$40 000	if relevant amount exceeds \$40 000
17	instructions to oppose notice of motion including perusal of notice of motion	28.90	36.70	48.40	55.10	58.75	66.10
	affidavits						
18	instructions for and preparation of any necessary special affidavit (not otherwise provided for) including attendances, copies, filing and service	53.05	66.30	89.00	99.45	106.10	119.35
19	affidavit of service, if necessary, including preparation and filing	10.90	14.05	18.70	21.10	22.50	25.30
	setting down						
20	certificate of readiness for hearing including letter requesting certification and attendance to file	14.85	18.70	24.95	28.05	29.90	33.65

Schedule 2 Scale of solicitors' costs—general

item	matter	Costs				
		if relevant amount does not exceed \$2 000	if relevant amount exceeds \$2 000 but does not exceed \$5 000	if relevant amount exceeds \$5 000 but does not exceed \$10 000	if relevant amount exceeds \$10 000 but does not exceed \$25 000	if relevant amount exceeds \$25 000 but does not exceed \$40 000
	summonses					
21	summons to witness including issuing and necessary copies (for 1 person)	9.40	11.65	15.65	17.50	21.00
	second and subsequent summons (per person) ...	1.60	1.95	2.40	2.90	3.45
	documents					
22	instructions for and drawing of any necessary bond	13.25	16.45	21.90	24.65	29.60
23	bill of costs for taxation, including copy for taxing officer, per folio	1.70	2.15	2.85	3.25	3.90
24	any necessary document not provided for under item 34 or otherwise, including a copy—per folio	1.70	2.15	2.85	3.25	3.90

item	matter	Costs				
		if relevant amount does not exceed \$2 000	if relevant amount exceeds \$2 000 but does not exceed \$5 000	if relevant amount exceeds \$5 000 but does not exceed \$10 000	if relevant amount exceeds \$10 000 but does not exceed \$25 000	if relevant amount exceeds \$25 000 but does not exceed \$40 000
	copies					
25	any necessary copies of pleadings, briefs and other documents if no other provision is made—per page55	.70	.90	1.00	1.10
	letters					
26	ordinary letter (including letter between principal and agent), if no other provision is made	4.65	6.25	7.80	9.35	9.95
27	special letter (including letter between principal and agent), if no other provision is made ..	9.40	11.65	15.65	17.50	18.70
28	circular letters after the first	1.60	1.95	2.40	2.90	3.10
	service					
29	personal service, if necessary	14.05	17.30	23.45	25.85	27.55
30	if service by post is authorised, if no other provision is made	5.45	7.05	9.40	10.55	11.25

Schedule 2 Scale of solicitors' costs—general

item	matter	Costs					
		if relevant amount does not exceed \$2 000	if relevant amount exceeds \$2 000 but does not exceed \$5 000	if relevant amount exceeds \$5 000 but does not exceed \$10 000	if relevant amount exceeds \$10 000 but does not exceed \$25 000	if relevant amount exceeds \$25 000 but does not exceed \$40 000	if relevant amount exceeds \$40 000
31	if service at address for service, if no other provision is made	5.45	7.05	9.40	10.55	11.25	12.65
32	for arranging service out of the jurisdiction	9.40	11.65	15.65	17.50	18.70	21.00
	<i>Note 1</i> When any 2 or more documents have to be, or may be, served together, 1 fee only for the service may be allowed.						
	<i>Note 2</i> The service under items 29 to 32 includes attendances as to service and for swearing the affidavit of service.						
33	perusals perusal of any document not provided for in item 34 or otherwise—per folio80	.90	1.25	1.35	1.45	1.65

item	matter	Costs					
		if relevant amount does not exceed \$2 000	if relevant amount exceeds \$2 000 but does not exceed \$5 000	if relevant amount exceeds \$5 000 but does not exceed \$10 000	if relevant amount exceeds \$10 000 but does not exceed \$25 000	if relevant amount exceeds \$25 000 but does not exceed \$40 000	if relevant amount exceeds \$40 000
34	<p>preparation</p> <p>instructions for brief for counsel or brief notes for solicitor, if necessary, for work necessarily and properly done in preparing for a hearing and not otherwise provided for, including preparation and delivery of brief to counsel (or brief notes for solicitor) and also including—</p> <p>(a) taking instructions for examination of any party or witness; and</p> <p>(b) considering the facts and law;</p> <p>(c) attending on and corresponding with client; and</p> <p>(d) interviewing and corresponding with witnesses and potential witnesses and taking proofs of their evidence; and</p> <p>(e) making search in any public office and elsewhere for relevant documents; and</p> <p>(f) arranging to obtain reports or advice from experts</p>						

Schedule 2 Scale of solicitors' costs—general

item	matter	Costs				
		if relevant amount does not exceed \$2 000	if relevant amount exceeds \$2 000 but does not exceed \$5 000	if relevant amount exceeds \$5 000 but does not exceed \$10 000	if relevant amount exceeds \$10 000 but does not exceed \$25 000	if relevant amount exceeds \$25 000 but does not exceed \$40 000
(g)	and maps, plans, photographs and models; and inspecting any property or place material to the proceedings; and					
(h)	perusing relevant documents; and					
(i)	the general care and conduct of the proceedings	50.00 per hour or 500.00, whichever is less	62.45 per hour or 624.50, whichever is less	83.30 per hour or 833.00, whichever is less	93.70 per hour or 937.00, whichever is less	99.90 per hour or 999.00, whichever is less
	if because of special circumstances relating to a particular matter, any party considers that the amount of costs allowable under this item in relation to the matter is not sufficient remuneration for the care and conduct including skill and responsibility involved throughout the course of proceedings and in obtaining instructions for brief or brief notes the party may apply to the court and the court may increase that amount by fixing a					112.40 per hour or 1 124.00, whichever is less

item	matter	Costs				
		if relevant amount does not exceed \$2 000	if relevant amount exceeds \$2 000 but does not exceed \$5 000	if relevant amount exceeds \$5 000 but does not exceed \$10 000	if relevant amount exceeds \$10 000 but does not exceed \$25 000	if relevant amount exceeds \$25 000 but does not exceed \$40 000
	higher hourly rate or higher maximum amount than the rate or maximum amount specified in this item or may give the directions that it considers appropriate in all the circumstances					
	<i>Note</i> This item should begin with a short statement of—					
	(a) the main issues; and					
	(b) any particular difficulties of fact or law; and					
	(c) any special skill, knowledge or responsibility required.					
	attendances					
35	attending court or magistrate's chambers in defended matter—	37.40	46.80	62.45	70.20	74.90
	(a) principal solicitor with counsel, per hour; or					84.25

Schedule 2 Scale of solicitors' costs—general

item	matter	Costs					
		if relevant amount does not exceed \$2 000	if relevant amount exceeds \$2 000 but does not exceed \$5 000	if relevant amount exceeds \$5 000 but does not exceed \$10 000	if relevant amount exceeds \$10 000 but does not exceed \$25 000	if relevant amount exceeds \$25 000 but does not exceed \$40 000	if relevant amount exceeds \$40 000
	(b) employed solicitor or clerk with counsel, per hour	26.50	32.75	43.75	49.15	52.40	58.95
36	attending court or magistrate's chambers in undefended matter—	33.55	42.15	56.20	63.25	67.45	75.90
	(a) principal solicitor with counsel, per hour; or						
	(b) employed solicitor or clerk with counsel, per hour	22.65	28.10	37.50	42.15	45.00	50.60
37	on taxation of costs, per hour	22.65	28.10	37.50	42.15	45.00	50.60
38	in court to hear reserved judgment, with or without counsel, or to mention a matter for the purpose of adjournment or otherwise	14.85	18.70	24.95	28.05	29.90	33.65

item	matter	Costs				
		if relevant amount does not exceed \$2 000	if relevant amount exceeds \$2 000 but does not exceed \$5 000	if relevant amount exceeds \$5 000 but does not exceed \$10 000	if relevant amount exceeds \$10 000 but does not exceed \$25 000	if relevant amount exceeds \$25 000 but does not exceed \$40 000
39	appointing and attending conference with counsel, when necessary, or attendances to produce documents for inspection or to inspect documents, if necessary, or on a view or on witnesses or other people:					
	(a) by principal solicitor if attendance warranted, per hour; or	33.55	42.15	56.20	63.25	67.45
	(b) by employed solicitor or clerk, per hour ...	22.65	28.10	37.50	42.15	45.00
40	telephone attendance if of substance or importance (other telephone calls not allowed), if no other provision is made	4.65	6.25	7.80	9.35	9.95
41	any necessary attendance not provided for in item 34 or otherwise	7.80	9.40	12.45	14.10	15.05

Schedule 2 Scale of solicitors' costs—general

item	matter	Costs					
		if relevant amount does not exceed \$2 000	if relevant amount exceeds \$2 000 but does not exceed \$5 000	if relevant amount exceeds \$5 000 but does not exceed \$10 000	if relevant amount exceeds \$10 000 but does not exceed \$25 000	if relevant amount exceeds \$25 000 but does not exceed \$40 000	if relevant amount exceeds \$40 000
	counsel's fees						
42	(1) if a solicitor briefs himself or herself as counsel— 3/4 of the fees set out in items 43 (e) and (g); or (2) if a solicitor briefs his or her partner as counsel— 5/6 of the fees set out in item 43:						
43	(a) for drawing or settling any necessary document including a claim, notice of grounds of defence, interrogatories, etc per hour	64.00	80.00	106.65	120.00	128.00	144.00
	(b) to advise on evidence or for opinion, per hour	64.00	80.00	106.65	120.00	128.00	144.00
	(c) conference, when necessary, per hour	64.00	80.00	106.65	120.00	128.00	144.00
	(d) on view, per hour	64.00	80.00	106.65	120.00	128.00	144.00
	(e) brief to appear on interlocutory application in court or in chambers (i) unopposed	76.00	95.00	126.65	142.50	152.00	171.00

item	matter	Costs					
		if relevant amount does not exceed \$2 000	if relevant amount exceeds \$2 000 but does not exceed \$5 000	if relevant amount exceeds \$5 000 but does not exceed \$10 000	if relevant amount exceeds \$10 000 but does not exceed \$25 000	if relevant amount exceeds \$25 000 but does not exceed \$40 000	if relevant amount exceeds \$40 000
	(ii) opposed	154.00- 324.00	192.50-405.00	256.65-540.00	288.75-607.50	308.00-648.00	346.50- 729.00
	(f) to hear reserved judgment	38.00- 64.00	47.50- 80.00	63.35- 106.65	71.25-120.00	76.00-128.00	85.50-144.00
	(g) brief— on hearing	282.40- 324.00	353.00-405.00	470.65-540.00	529.50-607.50	564.80-648.00	635.40- 729.00
	on assessments (if liability is not in issue)	192.00- 244.00	240.00-305.00	320.00-406.65	360.00-457.50	384.00-488.00	432.00- 549.00
	enforcement						
44	application for certificate of judgment for registration in the Supreme Court including filing	10.20	13.25	17.10	19.90	21.20	23.85
45	costs (to be included in amount of costs endorsed on writ) of obtaining a writ of execution, including documents and attendances	22.65	28.10	37.50	42.15	45.00	50.60

Schedule 2 Scale of solicitors' costs—general

item	matter	Costs					
		if relevant amount does not exceed \$2 000	if relevant amount exceeds \$2 000 but does not exceed \$5 000	if relevant amount exceeds \$5 000 but does not exceed \$10 000	if relevant amount exceeds \$10 000 but does not exceed \$25 000	if relevant amount exceeds \$25 000 but does not exceed \$40 000	if relevant amount exceeds \$40 000
46	examination of judgment debtor about debts owing to him or her and about his or her property, including instructions, preparation of application for summons, filing and preparing necessary documents	81.15	101.45	135.10	152.15	162.30	182.60
47	application for garnishee order under the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i> , section 299 (1) (b) including instructions, preparation of application and affidavit in support, filing and obtaining order	46.80	58.60	78.10	87.90	93.75	105.50

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	par = paragraph/subparagraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	pt = part
exp = expires/expired	r = rule/subrule
Gaz = gazette	renum = renumbered
hdg = heading	reloc = relocated
IA = Interpretation Act 1967	R[X] = Republication No
ins = inserted/added	RI = reissue
LA = Legislation Act 2001	s = section/subsection
LR = legislation register	sch = schedule
LRA = Legislation (Republication) Act 1996	sdiv = subdivision
mod = modified/modification	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

Endnotes

3 Legislation history

3 Legislation history

This regulation was originally called the *Court of Petty Sessions (Civil Jurisdiction) (Solicitors' Costs) Regulations* and was originally made under a Commonwealth ordinance—the *Court of Petty Sessions (Civil Jurisdiction) Ordinance 1982* No 54 (Cwlth).

The *Magistrates Court Ordinance 1985* No 67 (Cwlth) renamed the ordinance as the *Magistrates Court (Civil Jurisdiction) Ordinance 1982* and the regulation as the *Magistrates Court (Civil Jurisdiction) (Solicitors' Costs) Regulations*.

The *ACT Self-Government (Consequential Provisions) Act 1988* No 109 (Cwlth), s 12) converted most former Commonwealth ordinances in force in the ACT, and the regulations made under them, into ACT enactments. This allowed the ACT Legislative Assembly to amend and repeal the laws. The *Magistrates Court (Civil Jurisdiction) Ordinance 1982* and the *Magistrates Court (Civil Jurisdiction) (Solicitors' Costs) Regulations* were converted into ACT enactments on 1 July 1990.

As with most ordinances in force in the ACT, the name of the ordinance was changed from *Ordinance* to *Act* by the *Self-Government (Citation of Laws) Act 1989* No 21, s 5 on its conversion to an ACT enactment on 1 July 1990.

This regulation was renamed under the *Legislation Act 2001*.

Before 12 September 2001, regulations commenced on their notification day unless otherwise stated (see *Interpretation Act 1967* s 50, *Subordinate Laws Act 1989* s 6).

Legislation before becoming Territory enactment

Magistrates Court (Civil Jurisdiction) (Solicitors' Costs) Regulation 1982 No 31

notified 3 August 1982

commenced 1 September 1982

as amended by

Magistrates Court Act 1985 No 67 sch

notified 19 December 1985

commenced 1 February 1986 (s 2 and see Cwlth Gaz 1986 No G3)

Magistrates Court (Civil Jurisdiction) (Solicitors' Costs) Regulations (Amendment) 1986 No 3

notified 4 June 1986
commenced 4 June 1986

Magistrates Court (Civil Jurisdiction) (Solicitors' Costs) Regulations (Amendment) 1986 No 26

notified 22 December 1986
commenced 22 December 1986

Magistrates Court (Civil Jurisdiction) (Solicitors' Costs) Regulations (Amendment) 1987 No 14

notified 2 November 1987
commenced 2 November 1987

Magistrates Court (Civil Jurisdiction) (Solicitors' Costs) Regulations (Amendment) 1988 No 1

notified 3 February 1988
commenced 3 February 1988

Magistrates Court (Civil Jurisdiction) (Solicitors' Costs) Regulations (Amendment) 1988 No 5

notified 4 May 1988
commenced 4 May 1988

Magistrates Court (Civil Jurisdiction) (Solicitors' Costs) Regulations (Amendment) 1988 No 19

notified 16 November 1988
commenced 16 November 1988

Magistrates Court (Civil Jurisdiction) (Solicitors' Costs) Regulations (Amendment) 1988 No 24

notified 14 December 1988
commenced 3 January 1989 (s 1)

Magistrates Court (Civil Jurisdiction) (Solicitors' Costs) Regulations (Amendment) 1989 No 7

notified 13 April 1989
commenced 13 April 1989

Endnotes

3 Legislation history

Legislation after becoming Territory enactment

Magistrates Court (Civil Jurisdiction) (Solicitors' Costs) Regulations (Amendment) 1990 No 20

notified 21 December 1990
commenced 1 January 1991 (s 1)

Magistrates Court (Enforcement of Judgments) Act 1994 No 61 pt 7, div 4

notified 11 October 1994 (Gaz 1994 No S197)
s 1, s 2 commenced 11 October 1994 (s 2 (1))
pt 7, div 4 commenced 10 April 1995 (s 2 (3))

Magistrates Court (Civil Jurisdiction) (Solicitors' Costs) Regulations (Amendment) 1998 No 2

notified 16 January 1998
commenced 16 January 1998 (s 1)

Legislation (Consequential Amendments) Act 2001 No 44 pt 241

notified 26 July 2001 (Gaz 2001 No 30)
s 1, s 2 commenced 26 July 2001 (IA s 10B)
pt 241 commenced 12 September 2001 (s 2 and see Gaz 2001 No S65)

as repealed by

Court Procedures (Consequential Amendments) Act 2004 A2004-60 s 4

notified LR 2 September 2004
s 1, s 2 commenced 2 September 2004 (LA s 75 (1))
s 4 commenced 10 January 2005 (s 2 and see Court Procedures Act 2004 A2004-59, s 2 and CN2004-29)

4 Amendment history

Name of regulation

s 1 am Act 1985 No 67 sch; R5 LA; R6 LA

Definitions for regulation

s 2 def **prescribed percentage** ins 1990 No 20 s 3
 def **Supreme Court Rules** ins 1990 No 20 s 3
 om Act 2001 No 44 amdt 1.2797
 def **the Act** om Act 2001 No 44 amdt 1.2797
 def **the ordinance** am Act 1985 No 67 sch

Prescribed costs to be specified in claim

s 3 am 1990 No 20 s 4

Prescribed costs on entry of default judgment on special claim

s 4 am 1990 No 20 s 5

Scale of costs—general

s 5 am 1990 No 20 s 6

Increase in costs

s 6 ins 1986 No 26
 am 1987 No 14 s 2; 1988 No 1 s 2; 1988 No 19 s 2
 om 1988 No 24 s 3
 ins 1989 No 7
 am 1990 No 20 s 7
 om R4 LRA

Costs of ordinary claims—application of Supreme Court Rules

s 7 ins 1987 No 14 s 3
 am 1988 No 1 s 3; 1988 No 5 s 2; 1988 No 19 s 3
 om 1988 No 24 s 3
 ins 1990 No 20 s 8
 am 1998 No 2 s 3

Costs of special claims—application of Supreme Court Rules

s 8 ins 1988 No 1 s 4
 am 1988 No 5 s 3; 1988 No 19 s 4
 om 1988 No 24 s 3
 ins 1990 No 20 s 8
 am 1998 No 2 s 4

Further increase in costs

s 9 ins 1988 No 5 s 4
 am 1988 No 19 s 5
 om 1988 No 24 s 3

Endnotes

4 Earlier republications

Further increase in costs

s 10 ins 1988 No 19 s 6
om 1988 No 24 s 3

Scale of solicitors' costs—special claims

sch 1 sub 1986 No 3; 1988 No 24 s 4

Scale of solicitors' costs—general

sch 2 am Act 1985 No 67 sch
sub 1986 No 3; 1988 No 24 s 4
am Act 1994 No 61 s 79

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Except for the footer, electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	SL 1990 No 20	31 October 1991
2	Act 1994 No 61	10 April 1995
3	Act 1994 No 61	31 May 1997
4	SL 1998 No 2	31 August 1999
5	A2001-44	29 August 2002
6	A2001-44	10 November 2004

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