

1995—No. 749

DISTRICT COURT ACT 1973—REGULATION

(Relating to fees)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the District Court Act 1973, has been pleased to make the Regulation set forth hereunder.

JEFFREY SHAW, Q.C., M.L.C.,
Attorney General.

Commencement

1. This Regulation commences on 1 January 1996.

Amendments

2. The District Court (Fees) Regulation 1993 is amended:

- (a) by omitting clause 5;
- (b) by omitting Schedule 1 and by inserting instead the following Schedule:

SCHEDULE 1—COURT FEES

(Cl. 3)

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(a) Filing a statement of claim or any other originating process (other than the filing of an originating process referred to in Item 1 (b))	345.00
(b) Filing an originating process by way of a notice of appeal	145.00
(c) Filing a notice of cross-claim or third or subsequent party notice	345.00
(a) Filing a requisition for a civil trial by a jury (to be paid by the party requesting a jury)	590.00

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	(b) Daily retention fee (to be paid by the party requesting a jury for each day a jury is required after the first day of a civil trial)	270.00
3.	Filing a praecipe for trial (for or in respect of an action commenced before 1 January 1996)	200.00
4.	Making a copy of any document, per page	2.00
	(minimum fee:	10.00)
5.	Supply of duplicate tape recording of sound-recorded evidence, per cassette	30.00
6.	For each copy of the transcript of any proceedings:	
	(a) per page, where the matter being transcribed is under 3 months old	6.50
	(minimum fee for 1 to 8 pages	55.00)
	(b) per page, where the matter being transcribed is 3 months old or older	7.50
	(minimum fee for 1 to 8 pages	65.00)
7.	Service or attempted service of any process or other document, including service by post and preparation of an affidavit of service—for each address at which service of the process or other document is effected or attempted	34.00
8.	Execution or attempted execution of any writ or warrant—for each address at which execution of the writ or warrant is effected or attempted	44.00
9.	Disbursements in executing or attempting to execute a writ of execution, including a fee for keeping possession	As prescribed by the Scale of Fees under the Sheriff Act 1900
10.	The travelling expenses incurred by officers in conveying an arrested person to prison or to court	
11.	Attending a view by a jury (to be paid by the party making the request)	
12.	Filing an application for an order under section 18 (2) of the Arbitration (Civil Actions) Act 1983 for the rehearing of an action referred for arbitration	335.00
13.	(a) To issue a subpoena for production	44.00
	(b) To issue a subpoena for production and to give evidence	44.00
	(c) To issue a subpoena to give evidence	22.00

NOTE: This amount is subject to any provisions of the District Court Rules 1973 providing for the refund of the whole or any part of this amount.

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EXPLANATORY NOTE

The object of this Regulation is to increase certain fees set out in the District Court (Fees) Regulation 1993 to be paid to a registrar in respect of the business of the District Court under the District Court Act 1973.

Due to the Court's case management practices, it will no longer be necessary to file a praecipe for trial for an action commenced on or after 1 January 1996. Instead, the action will be case managed from the date of filing. This change is reflected in the new fee structure set out in Items 1 and 3 of the schedule of fees.

The fee for filing of a bill of costs for taxation has been removed from the schedule.

This Regulation also repeals a provision exempting the payment of certain court fees in relation to actions to which the Motor Accidents Act 1988 applies that are litigated in the District Court.

This Regulation is made under the District Court Act 1973, including section 150 (Regulations: Court fees).
