



Local Courts (Civil Claims) Amendment (Fees) Regulation 2004

under the

Local Courts (Civil Claims) Act 1970

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Local Courts (Civil Claims) Act 1970*.

BOB DEBUS, M.P.,
Attorney General

Explanatory note

The object of this Regulation is to increase, by approximately 4 per cent, certain court fees (as set out in the *Local Courts (Civil Claims) Regulation 2000*) payable in respect of civil proceedings before a Local Court.

This Regulation is made under the *Local Courts (Civil Claims) Act 1970*, including section 85 (Regulations—court fees).

2004 No 362

Clause 1 Local Courts (Civil Claims) Amendment (Fees) Regulation 2004

Local Courts (Civil Claims) Amendment (Fees) Regulation 2004

under the

Local Courts (Civil Claims) Act 1970

1 Name of Regulation

This Regulation is the *Local Courts (Civil Claims) Amendment (Fees) Regulation 2004*.

2 Commencement

This Regulation commences on 1 July 2004.

3 Amendment of Local Courts (Civil Claims) Regulation 2000

The *Local Courts (Civil Claims) Regulation 2000* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 3)

Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Court fees

(Clause 4)

\$

1 Filing a statement of claim:

- | | | |
|-----|---|--|
| (a) | in respect of a claim for an amount not exceeding \$3,000 | 126.00 (in the case of a corporation)
or 63.00 (in any other case) |
| (b) | in respect of a claim for an amount exceeding \$3,000 but not exceeding \$10,000 | 166.00 (in the case of a corporation)
or 83.00 (in any other case) |
| (c) | in respect of a claim for an amount exceeding \$10,000 but not exceeding \$40,000 | 316.00 (in the case of a corporation)
or 158.00 (in any other case) |
| (d) | in respect of a claim for an amount exceeding \$40,000 | 440.00 (in the case of a corporation)
or 220.00 (in any other case) |

2004 No 362

Local Courts (Civil Claims) Amendment (Fees) Regulation 2004

Schedule 1 Amendment

	\$
2 Filing a notice of cross-claim or a third or subsequent party notice:	
(a) in respect of a claim for an amount not exceeding \$3,000	126.00 (in the case of a corporation) or 63.00 (in any other case)
(b) in respect of a claim for an amount exceeding \$3,000 but not exceeding \$10,000	166.00 (in the case of a corporation) or 83.00 (in any other case)
(c) in respect of a claim for an amount exceeding \$10,000 but not exceeding \$40,000	316.00 (in the case of a corporation) or 158.00 (in any other case)
(d) in respect of a claim for an amount exceeding \$40,000	440.00 (in the case of a corporation) or 220.00 (in any other case)
3 Filing a notice of motion under Part 15 of the <i>Local Courts (Civil Claims) Rules 1988</i> in respect of an action commenced in the General Division	114.00 (in the case of a corporation) or 57.00 (in any other case)

Local Courts (Civil Claims) Amendment (Fees) Regulation 2004

Amendment

Schedule 1

	\$
4 Filing a certificate or certified copy of conviction or order	126.00 (in the case of a corporation) or 63.00 (in any other case)
5 Filing an application for an order under section 18A (1) of the <i>Arbitration (Civil Actions) Act 1983</i> for the rehearing of an action referred for arbitration. This amount is subject to any rules providing for the refund of the whole or any part of the amount	560.00 (in the case of a corporation) or 280.00 (in any other case)
6 Making a copy of any document or part of a document, other than as prescribed by item 8, for each page (minimum fee of \$10.00)	2.00
7 Supply of duplicate tape recording of sound-recorded evidence, for each cassette	35.00
8 For each copy of the transcript of any proceedings:	
(a) for each page, where the matter being transcribed is under 3 months old (minimum fee for 1 to 8 pages of \$64.00)	7.60
(b) for each page, where the matter being transcribed is 3 months old or older (minimum fee for 1 to 8 pages of \$75.00)	8.70
9 Except as provided by item 10, service or attempted service by an officer of the Sheriff of any process or other document, including service by post and preparation of affidavit of service—for each address at which service of the process or other document is effected or attempted	44.00
10 Service or attempted service of a statement of claim by post—for each address at which service is effected or attempted	28.00

2004 No 362

Local Courts (Civil Claims) Amendment (Fees) Regulation 2004

Schedule 1 Amendment

	\$
11 Filing an application for a certificate of judgment (otherwise than pursuant to the <i>Service and Execution of Process Act 1992</i> of the Commonwealth)	22.00 (in the case of a corporation) or 11.00 (in any other case)
12 (a) To issue a subpoena for production	56.00 (in the case of a corporation) or 28.00 (in any other case)
(b) To issue a subpoena for production and to give evidence	56.00 (in the case of a corporation) or 28.00 (in any other case)
(c) To issue a subpoena to give evidence	22.00 (in the case of a corporation) or 11.00 (in any other case)
13 Execution or attempted execution of a writ of execution or warrant to apprehend a judgment debtor—for each address at which execution of the writ or warrant is effected or attempted	55.00
14 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 <i>Sheriff Act 1900</i>
15 Levy on writ of execution	
16 For work undertaken in preparing for a sale of land on instructions from a judgment creditor—if sale does not proceed	

2004 No 362

Local Courts (Civil Claims) Amendment (Fees) Regulation 2004

Amendment

Schedule 1

	\$
17 Examination of a judgment debtor by a registrar	104.00 (in the case of a corporation) or 52.00 (in any other case)

BY AUTHORITY