



Community Land Management Amendment (Fees) Regulation 2004

under the

Community Land Management Act 1989

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Community Land Management Act 1989*.

REBA PAIGE MEAGHER, M.P.,

Minister for Fair Trading

Explanatory note

The object of this Regulation is to increase fees payable to the Registrar of the Consumer, Trader and Tenancy Tribunal in respect of certain services in connection with community land management. The fee increases are in line with movements in the Consumer Price Index.

This Regulation also introduces:

- (a) a new fee of \$59 for an application for mediation, payable to the Commissioner for Fair Trading in the Department of Commerce (who is referred to in the *Community Land Management Act 1989* as the Director-General), and
- (b) “at cost” fees for cassettes of duplicate tape recordings of evidence or proceedings and copies of written transcripts of evidence or proceedings. (The “at cost” fees provide consistency in the method of charging fees for these services across all Divisions of the Tribunal and replace the existing fee variations for these items between the Divisions.)

This Regulation also replaces a provision in the *Community Land Management Regulation 2000* relating to the waiver and remission of fees so as to extend its application to the Commissioner for Fair Trading as well as the Registrar of the Tribunal.

This Regulation is made under the *Community Land Management Act 1989*, including section 122 (the general regulation-making power).

2004 No 410

Clause 1 Community Land Management Amendment (Fees) Regulation 2004

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1 Name of Regulation

This Regulation is the *Community Land Management Amendment (Fees) Regulation 2004*.

2 Commencement

This Regulation commences on 1 July 2004.

3 Amendment of Community Land Management Regulation 2000

The *Community Land Management Regulation 2000* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 3)

[1] Clause 20 Fees

Omit clause 20 (2). Insert instead:

- (2) The following fees are payable to the Registrar in respect of the services specified:

Service	Fee
Lodging an application for an order for settlement of a dispute or complaint by an Adjudicator or the Tribunal under Part 4 of the Act:	
(a) if the application includes an application for an interim order under section 72 of the Act	\$118
(b) if it does not	\$59
Lodging a notice of appeal against an order made by an Adjudicator under section 88 of the Act	\$59
Lodging an application for a copy of an order made by an Adjudicator or the Tribunal, or other document not being a transcript, per page	\$2 per page or \$21 (whichever is greater)
Issuing a summons to appear before the Tribunal under section 94 of the Act	\$33
Duplicate tape recording of evidence or proceedings, per cassette	“at cost”
Copy of written transcript of evidence or proceedings, per page	“at cost”

2004 No 410

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Schedule 1 Amendments

- (3) The following fee is payable to the Director-General in respect of the service specified:

Service	Fee
Application for mediation	\$59

[2] Clause 21

Omit the clause. Insert instead:

21 Waiver and remission of fees

- (1) The Director-General may waive payment of the fee under the Act for an application for mediation, or may remit any such fee paid to the Director-General, if the Director-General considers it appropriate to do so in the circumstances.
- (2) The Registrar may waive payment of any other fee under the Act, or may remit any such fee paid to the Registrar, if the Registrar considers it appropriate to do so in the circumstances.

BY AUTHORITY
