



New South Wales

Land and Environment Court Amendment (Fees) Regulation 2008

under the

Land and Environment Court Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Land and Environment Court Act 1979*.

JOHN HATZISTERGOS, M.L.C.,
Attorney General

Explanatory note

The object of this Regulation is to amend the *Land and Environment Court Regulation 2005*:

- (a) to increase the fees that are payable in relation to proceedings before the Land and Environment Court in Class 5, 6 or 7 of its jurisdiction, and
- (b) to repeal and amend provisions as a consequence of transferring the fees that are payable in relation to proceedings before that Court in Class 1, 2, 3 or 4 of its jurisdiction to Part 2 of Schedule 1 to the *Civil Procedure Regulations 2005* by the *Civil Procedure Amendment (Fees) Regulation 2008*.

This Regulation is made under the *Land and Environment Court Act 1979*, including section 78 (the general regulation-making power).

2008 No 238

Clause 1 Land and Environment Court Amendment (Fees) Regulation 2008

Land and Environment Court Amendment (Fees) Regulation 2008

under the

Land and Environment Court Act 1979

1 Name of Regulation

This Regulation is the *Land and Environment Court Amendment (Fees) Regulation 2008*.

2 Commencement

This Regulation commences on 1 July 2008.

3 Amendment of Land and Environment Court Regulation 2005

The *Land and Environment Court Regulation 2005* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 3)

[1] Clause 4 Fees generally

Omit clause 4 (2).

[2] Clause 5 Persons by and to whom fees payable

Omit clause 5 (1A) and (3).

[3] Clause 7 Postponement or waiver of fees in certain cases

Omit “any Class” from clause 7 (1).

Insert instead “Class 5, 6 or 7”.

[4] Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Court fees

(Clause 4)

Note. Fees that are payable in relation to proceedings before the Court in Class 1, 2, 3 or 4 of its jurisdiction are set out in regulations under the *Civil Procedure Act 2005*.

Item	Column 1	Column 2
	Matter for which fee payable	Fee
1	Filing an originating process in Class 5 of the Court’s jurisdiction	\$718
2	Filing an originating process in Class 6 or 7 of the Court’s jurisdiction	\$718