



New South Wales

# Criminal Procedure Amendment (Fees) Regulation 2009

under the

Criminal Procedure Act 1986

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Criminal Procedure Act 1986*.

JOHN HATZISTERGOS, MLC  
Attorney General

## Explanatory note

The object of this Regulation is to increase certain fees payable in relation to criminal proceedings.

This Regulation is made under the *Criminal Procedure Act 1986*, including sections 4 (the general regulation-making power), 4A (Fees) and 114.

## **2009 No 244**

Clause 1 Criminal Procedure Amendment (Fees) Regulation 2009

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# **Criminal Procedure Amendment (Fees) Regulation 2009**

under the

Criminal Procedure Act 1986

### **1 Name of Regulation**

This Regulation is the *Criminal Procedure Amendment (Fees) Regulation 2009*.

### **2 Commencement**

This Regulation commences on 1 July 2009 and is required to be published on the NSW legislation website.

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## Schedule 1      Amendment of Criminal Procedure Regulation 2005

**Schedule 3**

Omit the Schedule. Insert instead:

**Schedule 3      Fees**

(Clauses 13 and 14)

**Part 1      Court fees**

	<b>Column 1</b>	<b>Column 2</b>
<b>Item</b>	<b>Matter for which fee payable</b>	<b>Fee</b>
1	Filing a court attendance notice under Chapter 4 of the <i>Criminal Procedure Act 1986</i> to commence proceedings to which Parts 2–4 of that Chapter apply	\$76
2	Filing an application under Chapter 4 of the <i>Criminal Procedure Act 1986</i> to commence proceedings to which Part 5 of that Chapter applies, being proceedings in the Land and Environment Court (Class 5 of that Court's jurisdiction)	\$749
3	Filing an application to a Local Court for annulment of conviction or sentence under Part 2 of the <i>Crimes (Appeal and Review) Act 2001</i>	\$76
4	Filing a notice of appeal, or an application for leave to appeal, to the District Court under Part 3 of the <i>Crimes (Appeal and Review) Act 2001</i> :	
	(a) in relation to a single offence	\$93
	(b) in relation to more than 1 offence arising from the same court appearance	\$143
5	Filing a notice of appeal, or an application for leave to appeal, to the Land and Environment Court under Part 4 of the <i>Crimes (Appeal and Review) Act 2001</i> (Class 6 or 7 of that Court's jurisdiction)	\$749
6	To issue a certificate of conviction or dismissal	\$50
7	Retrieving, providing access to and furnishing a copy of any document (otherwise than as provided for by items 8 and 10)	\$10.40, plus \$5.20 for each 10 pages (or part thereof) after the first 20 pages

## 2009 No 244

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Schedule 1 Amendment of Criminal Procedure Regulation 2005

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<b>Column 1</b>		<b>Column 2</b>
<b>Item</b>	<b>Matter for which fee payable</b>	<b>Fee</b>
8	Retrieving and providing access to, but not furnishing a copy of, any document	Nil
9	Supply of duplicate tape recording of sound-recorded evidence	\$42 per cassette
10	Copy of any deposition, transcript or diskette (unless otherwise provided for under any other Act):	
	(a) for each page, where the matter being transcribed is under 3 months old	\$76, plus \$9.30 per page for each page after the first 8 pages
	(b) for each page, where the matter being transcribed is 3 months old or older	\$93, plus \$10.60 per page for each page after the first 8 pages

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## Part 2 Sheriff's fees

<b>Column 1</b>		<b>Column 2</b>
<b>Item</b>	<b>Matter for which fee payable</b>	<b>Fee</b>
1	For attending a view by a jury in criminal proceedings	\$148

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