



Criminal Procedure Amendment (Fees and Court Costs Levy) Regulation 2013

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*.

GREG SMITH, MP
Attorney General

Explanatory note

The objects of this Regulation are:

- (a) to increase the fees payable in relation to criminal proceedings, and
- (b) to increase (from \$83 to \$85) the court costs levy so that it is in line with the filing fee for criminal matters in the Local Court.

This Regulation is made under the *Criminal Procedure Act 1986*, including sections 4 (the general regulation-making power), 4A, 114 and 211A.

2013 No 301

Clause 1

Criminal Procedure Amendment (Fees and Court Costs Levy) Regulation
2013

**Criminal Procedure Amendment (Fees and Court Costs
Levy) Regulation 2013**

under the

Criminal Procedure Act 1986

1 Name of Regulation

This Regulation is the *Criminal Procedure Amendment (Fees and Court Costs Levy) Regulation 2013*.

2 Commencement

This Regulation commences on 1 July 2013 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Criminal Procedure Regulation 2010

[1] **Clause 9A Court costs levy**

Omit “\$83”. Insert instead “\$85”.

[2] **Schedule 2**

Omit the Schedule. Insert instead:

Schedule 2 Fees

(Clauses 10 and 11)

Part 1 Court fees

Item	Matter for which fee payable	Fee
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	\$85.00
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)	\$850.00
3	Filing an application to commence summary proceedings brought in the District Court, other than proceedings brought by the secretary of an industrial organisation of employees	\$1,681.00
4	Filing an application to the Local Court for annulment of conviction or sentence under Part 2 of the <i>Crimes (Appeal and Review) Act 2001</i>	\$85.00
5	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	\$105.00
	(b) in relation to more than one offence arising from the same court appearance	\$162.00
6	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)	\$850.00

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Schedule 1 Amendment of Criminal Procedure Regulation 2010

Item	Matter for which fee payable	Fee
7	Issuing a certificate of conviction or dismissal	\$55.00
8	Retrieving, providing access to and furnishing a copy of any document (otherwise than as provided for by items 9 and 11):	
	(a) for up to 20 pages	\$11.70
	(b) for each 10 pages (or part thereof) after the first 20 pages	\$5.80
9	Retrieving and providing access to, but not furnishing a copy of, any file or box of files, where the file or box of files is retrieved from:	
	(a) the Government Records Repository or any other off-site storage facility (other than the State Records):	
	(i) standard retrieval request	\$12.60 per file or box of files
	(ii) non-standard retrieval request (including an urgent, high or after hours priority retrieval request or a retrieval request for delivery to or from a regional location outside the Sydney metropolitan area)	Such additional fee incurred by a court
	(b) the State Records—standard retrieval request	\$31.60 per file or box of files
10	Supplying a duplicate recording of sound-recorded evidence—per cassette tape or disc	\$47.90
11	Providing a copy of any deposition or transcript (unless otherwise provided for under any other Act):	
	(a) for each page, where the matter being transcribed is under 3 months old:	
	(i) for up to 8 pages	\$81.00
	(ii) for each page after the first 8 pages	\$9.95
	(b) for each page, where the matter being transcribed is 3 months old or older:	
	(i) for up to 8 pages	\$99.50
	(ii) for each page after the first 8 pages	\$11.30

Part 2 Sheriff's fees

Item	Matter for which fee payable	Fee
1	Attending a view by a jury in criminal proceedings	\$167.00