



Industrial Relations (General) Amendment (Fees) Regulation 2013

under the

Industrial Relations Act 1996

His Excellency the Lieutenant-Governor, with the advice of the Executive Council,
has made the following Regulation under the *Industrial Relations Act 1996*.

MIKE BAIRD, MP
Minister for Industrial Relations

Explanatory note

The object of this Regulation is to amend the *Industrial Relations (General) Regulation 2001* to increase fees charged by the Industrial Relations Commission.

This Regulation is made under the *Industrial Relations Act 1996*, including sections 183 and 407 (the general regulation-making power).

2013 No 337

Clause 1 Industrial Relations (General) Amendment (Fees) Regulation 2013

Industrial Relations (General) Amendment (Fees) Regulation 2013

under the

Industrial Relations Act 1996

1 Name of Regulation

This Regulation is the *Industrial Relations (General) Amendment (Fees) 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 Industrial Relations (General) Regulation 2001

Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Commission fees

(Clause 23A)

Fees for proceedings before Commission sitting as Industrial Court

Column 1	Column 2	Column 3
Matter for which fee payable	Standard fee	Corporation fee
1 Filing an application under Division 2 of Part 9 of Chapter 2 of the Act	\$838.00	\$1,676.00
2 Filing notice of leave to appeal to the Full Bench of the Industrial Court under section 187 of the Act in relation to a decision of the Commission under Division 2 of Part 9 of Chapter 2 of the Act	\$931.00	\$1,862.00
3 Filing an application for an order under section 246 of the <i>Criminal Procedure Act 1986</i> in respect of an offence dealt with before the Industrial Court:	\$838.00	\$1,676.00
(a) under section 397 (1) (b) of the <i>Industrial Relations Act 1996</i> , or		
(b) under section 229B (2) (b) of the <i>Work Health and Safety Act 2011</i>		
4 Filing notice of leave to appeal to the Full Bench of the Industrial Court:	\$276.00	\$552.00
(a) under section 197 (1) (a), (b), (c) or (d) of the Act in respect of a decision of the Local Court, or		
(b) against any decision on a question of law:		
(i) under section 197B of the <i>Industrial Relations Act 1996</i> , or		
(ii) section 23A of the <i>Transport Appeal Boards Act 1980</i>		

2013 No 337

Industrial Relations (General) Amendment (Fees) Regulation 2013

Schedule 1 Amendment of Industrial Relations (General) Regulation 2001

Fees for proceedings before Commission sitting as Industrial Court

Column 1	Column 2	Column 3
Matter for which fee payable	Standard fee	Corporation fee
5 Filing a notice of motion in any of the following proceedings:	\$195.00	\$390.00
(a) proceedings under Division 2 of Part 9 of Chapter 2 of the Act,		
(b) proceedings on an appeal to the Full Bench of the Industrial Court under section 187 of the Act in relation to a decision of the Commission under Division 2 of Part 9 of Chapter 2 of the Act,		
(c) proceedings on an appeal to the Full Bench of the Industrial Court under section 197 (1) (a), (b), (c) or (d) of the Act in respect of a decision of the Local Court,		
(d) proceedings on an appeal to the Full Bench of the Industrial Court against any decision on a question of law:		
(i) under section 197B of the <i>Industrial Relations Act 1996</i> , or		
(ii) under section 23A of the <i>Transport Appeal Boards Act 1980</i> ,		
(e) proceedings for an offence dealt with before the Industrial Court:		
(i) under section 397 (1) (b) of the <i>Industrial Relations Act 1996</i> , or		
(ii) under section 105 (1) (b) of the <i>Occupational Health and Safety Act 2000</i> , or		
(iii) under section 229B (2) (b) of the <i>Work Health and Safety Act 2011</i>		

Fees for proceedings before Commission sitting as Industrial Court

Column 1	Column 2	Column 3
Matter for which fee payable	Standard fee	Corporation fee
6 For allocation of a date for hearing in relation to:	\$1,600.00	\$3,200.00
(a) proceedings under Division 2 of Part 9 of Chapter 2 of the Act, or		
(b) proceedings on an appeal to the Full Bench of the Industrial Court under section 187 of the Act in relation to a decision of the Commission under Division 2 of Part 9 of Chapter 2 of the Act		
7 For the hearing of proceedings under Division 2 of Part 9 of Chapter 2 of the Act, for each half day of hearing on or after the 11th day	\$298.00	\$596.00
Note. For the purposes of this item, a half day comprises a period of 3 hours or less, with such period to include any adjournment of less than half an hour.		

Fees for proceedings before Commission (otherwise than sitting as Industrial Court)

Column 1	Column 2	Column 3
Matter for which fee payable	Standard fee	Corporation fee
1 Filing an application under section 84 of the Act	\$74.00	—
2 Filing notice of leave to appeal to the Full Bench of the Commission under section 187 of the Act in relation to a decision of the Commission under Part 6 of Chapter 2 of the Act	\$248.00	\$496.00

Miscellaneous fees

Column 1	Column 2	Column 3
Matter for which fee payable	Standard fee	Corporation fee
1 Issuing a summons for production, or for production and to give evidence	\$74.00	\$148.00
2 Issuing a summons to give evidence	\$36.00	\$72.00

2013 No 337

Industrial Relations (General) Amendment (Fees) Regulation 2013

Schedule 1 Amendment of Industrial Relations (General) Regulation 2001

Miscellaneous fees

Column 1	Column 2	Column 3
Matter for which fee payable	Standard fee	Corporation fee
3 Opening or keeping open the registry or part of the registry:		
(a) on a Saturday, Sunday or public holiday, or	\$661.00	\$1,322.00
(b) on any other day:		
(i) before 8.30am or after 4.30pm, or	\$661.00	\$1,322.00
(ii) between 8.30am and 9.00am or between 4.00pm and 4.30pm	\$70.00	\$140.00
4 Furnishing a certified copy of a judgment or order, or of the written opinion or reasons for opinion of any member of the Commission or the Industrial Registrar	\$74.00	\$148.00
Note. Fees under this item are not chargeable to any party to proceedings in respect of the first such copy that is supplied to that party.		
5 Furnishing an uncertified copy of a judgment or order, or of the written opinion or reasons for opinion of any member of the Commission or the Industrial Registrar	\$40.00	\$80.00
Note. Fees under this item are not chargeable to any party to proceedings in respect of the first such copy that is supplied to that party.		
6 Making a copy of any document (otherwise than as provided for by items 4 and 5)	\$11.70, plus \$5.80 for each 10 pages (or part of 10 pages) after the first 20 pages	—
Note 1. Except as provided in Note 2, fees under this item are chargeable:		
(a) to the Crown or any person acting on behalf of the Crown, and		
(b) to an industrial organisation or association registered under Chapter 5 of the Act.		
Note 2. Fees under this item are not chargeable to any person in respect of whom the Secretary of the Treasury, or the President of the Anti-Discrimination Board, has authorised the making of such a copy without charge.		

Miscellaneous fees

Column 1	Column 2	Column 3
Matter for which fee payable	Standard fee	Corporation fee
<p>7 Supplying a duplicate tape recording of sound-recorded evidence</p> <p>Note 1. Except as provided in Note 2, fees under this item are chargeable:</p> <p>(a) to the Crown or any person acting on behalf of the Crown, and</p> <p>(b) to an industrial organisation or association registered under Chapter 5 of the Act.</p> <p>Note 2. Fees under this item are not chargeable to any person to whom the Secretary of the Treasury, or the President of the Anti-Discrimination Board, has authorised the supply of such a recording without charge.</p>	\$47.90 per cassette	—
<p>8 Supplying a copy of the transcript of any proceedings:</p> <p>(a) where the matter being transcribed is under 3 months old, or</p> <p>(b) where the matter being transcribed is 3 months old or older</p> <p>Note 1. Except as provided in Note 2, fees under this item are chargeable:</p> <p>(a) to the Crown or any person acting on behalf of the Crown, and</p> <p>(b) to an industrial organisation or association registered under Chapter 5 of the Act.</p> <p>Note 2. Fees under this item are not chargeable to any person to whom the Secretary of the Treasury, or the President of the Anti-Discrimination Board, has authorised the supply of such a copy without charge.</p>	<p>\$81.00, plus an additional \$9.95 per page after the first 8 pages</p> <p>\$99.50, plus an additional \$11.30 per page after the first 8 pages</p>	—
<p>9 For retrieval from archives of any document or file</p>	\$74.00	\$148.00

2013 No 337

Industrial Relations (General) Amendment (Fees) Regulation 2013

Schedule 1 Amendment of Industrial Relations (General) Regulation 2001

Miscellaneous fees

Column 1	Column 2	Column 3
Matter for which fee payable	Standard fee	Corporation fee
10 Providing any service for which a fee is not otherwise imposed by this Schedule Note. A fee may not be imposed under this item except with the approval of the Industrial Registrar.	\$38.00	\$76.00