



New South Wales

# Industrial Relations (General) Amendment (Fees) Regulation 2014

under the

Industrial Relations Act 1996

The Administrator, with the advice of the Executive Council, has made the following Regulation under the *Industrial Relations Act 1996*.

ANDREW CONSTANCE, MP  
Minister for Industrial Relations

## **Explanatory note**

The object of this Regulation is to amend the *Industrial Relations (General) Regulation 2001* to increase certain 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).

## **Industrial Relations (General) Amendment (Fees) Regulation 2014**

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Industrial Relations Act 1996

### **1 Name of Regulation**

This Regulation is the *Industrial Relations (General) Amendment (Fees) Regulation 2014*.

### **2 Commencement**

This Regulation commences on the day on which it is 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	\$859.00	\$1,718.00
2 Filing an application for an order under section 246 of the <i>Criminal Procedure Act 1986</i> in respect of an offence dealt with: (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>	\$859.00	\$1,718.00
3 Filing notice of leave to appeal: (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>	\$283.00	\$566.00

**Fees for proceedings before Commission sitting as Industrial Court**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Matter for which fee payable</b>	<b>Standard fee</b>	<b>Corporation fee</b>
4 Filing a notice of motion in any of the following proceedings: (a) proceedings under Division 2 of Part 9 of Chapter 2 of the Act, (b) proceedings on an appeal under section 197 (1) (a), (b), (c) or (d) of the Act in respect of a decision of the Local Court, (c) proceedings on an appeal 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> , (d) proceedings for an offence dealt with: (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>	\$200.00	\$400.00
5 For allocation of a date for hearing in relation to proceedings under Division 2 of Part 9 of Chapter 2 of the Act	\$1,640.00	\$3,280.00
6 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 <b>Note.</b> 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.	\$306.00	\$612.00

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

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Matter for which fee payable</b>	<b>Standard fee</b>	<b>Corporation fee</b>
1 Filing an application under section 84 of the Act	\$76.00	—
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: (a) Part 6 of Chapter 2 of the Act, or (b) Division 2 of Part 9 of Chapter 2 of the Act	\$254.00 \$955.00	\$508.00 \$1,910.00
3 Filing a notice of motion in proceedings on an appeal to the Full Bench of the Commission 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	\$200.00	\$400.00

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

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Matter for which fee payable</b>	<b>Standard fee</b>	<b>Corporation fee</b>
4 For allocation of a date for hearing in relation to proceedings on an appeal to the Full Bench of the Commission 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	\$1,640.00	\$3,280.00

**Miscellaneous fees**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Matter for which fee payable</b>	<b>Standard fee</b>	<b>Corporation fee</b>
1 Issuing a summons for production, or for production and to give evidence	\$76.00	\$152.00
2 Issuing a summons to give evidence	\$37.00	\$74.00
3 Opening or keeping open the registry or part of the registry:		
(a) on a Saturday, Sunday or public holiday, or	\$678.00	\$1,356.00
(b) on any other day:		
(i) before 8.30am or after 4.30pm, or	\$678.00	\$1,356.00
(ii) between 8.30am and 9.00am or between 4.00pm and 4.30pm	\$72.00	\$144.00
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	\$76.00	\$152.00
<b>Note.</b> 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	\$41.00	\$82.00
<b>Note.</b> 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):		
(a) for the first 20 pages, and	\$12.00	—

**Miscellaneous fees**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Matter for which fee payable</b>	<b>Standard fee</b>	<b>Corporation fee</b>
(b) for each 10 pages (or part of 10 pages) after the first 20 pages  <b>Note 1.</b> 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.  <b>Note 2.</b> 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.	\$5.95	—
7 Supplying a duplicate tape recording of sound-recorded evidence—per cassette  <b>Note 1.</b> 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.  <b>Note 2.</b> 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.	\$47.90	—
8 Supplying a copy of the transcript of any proceedings: (a) where the matter being transcribed is under 3 months old: (i) for the first 8 pages, and (ii) for each page after the first 8 pages, or (b) where the matter being transcribed is 3 months old or older: (i) for the first 8 pages, and (ii) for each page after the first 8 pages  <b>Note 1.</b> 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.  <b>Note 2.</b> 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.	\$83.30 \$10.20  \$102.40 \$11.60	— —  — —
9 For retrieval from archives of any document or file	\$76.00	\$152.00

**Miscellaneous fees**

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