



New South Wales

# Dust Diseases Tribunal Amendment (Fees) Regulation 2015

under the

Dust Diseases Tribunal Act 1989

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Dust Diseases Tribunal Act 1989*.

GABRIELLE UPTON, MP  
Attorney General

## Explanatory note

The objects of this Regulation are as follows:

- (a) to increase certain fees payable in respect of proceedings before the Dust Diseases Tribunal,
- (b) to introduce a fee for the retrieval of Dust Diseases Tribunal court files.

This Regulation is made under the *Dust Diseases Tribunal Act 1989*, including section 34 (Regulations: Tribunal fees).

## **Dust Diseases Tribunal Amendment (Fees) Regulation 2015**

under the

Dust Diseases Tribunal Act 1989

### **1 Name of Regulation**

This Regulation is the *Dust Diseases Tribunal Amendment (Fees) Regulation 2015*.

### **2 Commencement**

This Regulation commences on 1 August 2015 and is required to be published on the NSW legislation website.

## Schedule 1 Amendment of Dust Diseases Tribunal Regulation 2013

**[1] Clause 4 Fees payable in respect of Tribunal proceedings**

Insert “or an incorporated partnership” after “a corporation” wherever occurring.

**[2] Clause 4 (2)**

Insert “or incorporated partnership” after “the corporation” wherever occurring.

**[3] Schedule 1**

Omit the Schedule. Insert instead:

### Schedule 1 Fees

(Clause 4)

	Column 1	Column 2	Column 3
Item	Matter for which fee payable	Standard fee	Corporation fee
1	Filing an initiating process	\$195.00	\$390.00
2	Filing a cross-claim	\$195.00	\$390.00
3	Filing a request for a first directions hearing (for a claim or cross-claim)	\$777.00	\$1,554.00
4	Filing a notice of motion	\$201.00	\$402.00
5	Opening or keeping open the registry or part of the registry:		
	(a) on a Saturday, Sunday or public holiday	\$689.00	\$1,378.00
	(b) on any other day:		
	(i) before 8.30 am or after 4.30 pm	\$689.00	\$1,378.00
	(ii) between 8.30 and 9 am or 4 and 4.30 pm	\$71.00	\$142.00
6	Furnishing a copy of the written opinion or reasons for opinion of any member of the Tribunal:		
	(a) for a printed copy	\$68.00	—
	(b) for any other kind of copy	\$41.00	—
	<b>Note.</b> A party to proceedings before the Tribunal is entitled to one copy of the opinion or reasons for opinion in relation to the proceedings without charge.		
7	Furnishing one or more sealed or certified copies of a judgment or order of the Tribunal	\$68.00	—
8	Making a copy of any document, otherwise than as provided for by item 6 or 7:		
	(a) for up to 5 pages	\$12.00	—
	(b) for each page over 5 pages	\$2.60	—
9	Supplying a duplicate tape recording of sound-recorded evidence, for each cassette	\$50.50	—

	Column 1	Column 2	Column 3
Item	Matter for which fee payable	Standard fee	Corporation fee
10	Supplying a copy of a transcript of any proceedings:		
	(a) for each page, where the matter being transcribed is less than 3 months old:		
	(i) for up to 8 pages	\$82.00	—
	(ii) for each page over 8 pages	\$10.50	—
	(b) for each page, where the matter being transcribed is 3 or more months old:		
	(i) for up to 8 pages	\$100.00	—
	(ii) for each page over 8 pages	\$12.00	—
	<b>Note.</b> A person who is supplied with a copy of a transcript of any proceedings of the Tribunal by a third party provider (not being the Tribunal or the Department of Justice's Reporting Services Branch) may be liable to pay a fee stipulated by that provider for that service. Such a fee is not subject to this item.		
11	Issuing a subpoena for production	\$78.00	\$156.00
12	Issuing a subpoena to give evidence	\$37.00	\$78.00
13	Issuing a subpoena for production and to give evidence	\$78.00	\$156.00
14	Receipt by the registrar of a document or thing produced in compliance with a notice to produce under Part 34 of the <i>Uniform Civil Procedure Rules 2005</i>	\$78.00	\$156.00
15	Providing any service for which a fee is not otherwise provided for in this Schedule	\$40.00	\$80.00
	<b>Note.</b> This fee is chargeable only with the approval of the registrar.		
16	Retrieving and providing access to, but not furnishing a copy of, any file or box of files in respect of proceedings before the Tribunal, 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 Archives):		
	(i) standard retrieval request	\$13.50 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 the Tribunal	—
	(b) the State Archives—standard retrieval request	\$33.50 per file or box of files	—