New South Wales

Civil and Administrative Tribunal Amendment (Fees) Regulation 2017

under the

Civil and Administrative Tribunal Act 2013

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Civil and Administrative Tribunal Act 2013*.

MARK SPEAKMAN, MP
Attorney General

Explanatory note

The object of this Regulation is to amend the *Civil and Administrative Tribunal Regulation 2013* to increase fees payable in connection with proceedings before the Civil and Administrative Tribunal. This Regulation also removes 2 redundant fees under the now repealed *Strata Schemes Management Act 1996*.

This Regulation is made under the *Civil and Administrative Tribunal Act 2013*, including section 90 (the general regulation-making power).

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1   Name of Regulation

This Regulation is the *Civil and Administrative Tribunal Amendment (Fees) Regulation 2017*.

2   Commencement

This Regulation commences on 1 July 2017 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Civil and Administrative Tribunal Regulation 2013

[1] Clause 5 Fees generally

Omit "$41" from clause 5 (4). Insert instead "$42".

[2] Schedule 2

Omit the Schedule. Insert instead:

Schedule 2 Fees

(Clause 5)

	Column 1		Column 2	Column 3
Item	**Matter for which fee payable**		**Standard fee**	**Corporation fee**
1	Lodgment of a general application in residential proceedings		$49	$98
2	Lodgment of a general application in strata proceedings, unless otherwise prescribed by this Schedule		$101	$202
3	Lodgment of a general application in general consumer or commercial proceedings:			
	(a)	if the amount claimed or in dispute is not more than $10,000 or if no amount is claimed or in dispute, or	$49	$98
	(b)	if the amount claimed or in dispute is more than $10,000 but not more than $30,000, or	$101	$202
	(c)	if the amount claimed or in dispute is more than $30,000	$263	$526
4	Lodgment of a general application for decision under *Retail Leases Act 1994*		$100	$200
5	Lodgment of a general application or external appeal in other proceedings:			
	(a)	if it is an appeal required to be determined by an Appeal Panel, or	$414	$828
	(b)	if it is an application or appeal required to be determined in a Division by 2 or more Division members, or	$210	$420
	(c)	in any other case	$100	$200
6	Lodgment of an administrative review application:			
	(a)	if the application is required to be determined by 2 or more members, or	$210	—
	(b)	in any other case	$100	—
7	Lodgment of an internal appeal		$414	$828

	Column 1	Column 2	Column 3
Item	**Matter for which fee payable**	**Standard fee**	**Corporation fee**
8	Lodgment of a set aside application	$101	$202
9	Issue of a summons (for production or to give evidence, or both)	$45	—
10	Request for the production to Tribunal of documents held by court	$52	—
11	Retrieval of any document or file from archives	$80	—
12	Provision of copy or certified copy of decision or written reasons	$80	—
13	Lodgment of a general application under section 62 of the *Community Land Management Act 1989* for an order under Division 3 or Division 4 of Part 4 of that Act for settlement of a dispute or complaint:		
	(a) if the application includes an application for an interim order under section 72 of that Act, or	$171	$342
	(b) if the application does not include an application referred to in paragraph (a)	$85	$170

Notes.

1   Clause 5 (4) of this Regulation provides that the principal registrar may charge a fee not exceeding $42 for any other service provided.

2   Clause 6 of this Regulation provides for circumstances in which no fee or a reduced fee may be payable.

3   Clause 6 (3) of this Regulation provides that a party to proceedings is entitled to one free copy of the decision or written reasons for a decision of the Tribunal.