



New South Wales

Dust Diseases Tribunal Amendment (Fees) Regulation 2017

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*.

MARK SPEAKMAN, MP
Attorney General

Explanatory note

The object of this Regulation is to amend the *Dust Diseases Tribunal Regulation 2013*:

- (a) to increase certain fees payable in respect of proceedings before the Dust Diseases Tribunal, and
- (b) to increase (from \$14 or \$34 for different types of records to \$80 for any record) the fee payable for a standard retrieval request for retrieving and providing access to a file or box of files retrieved from an off-site storage facility so as to bring the fee into line with the fee charged by the NSW Civil and Administrative Tribunal for the same service.

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

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1 Name of Regulation

This Regulation is the *Dust Diseases 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 Dust Diseases Tribunal Regulation 2013

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	\$203	\$406
2	Filing a cross-claim	\$203	\$406
3	Filing a request for a first directions hearing (for a claim or cross-claim)	\$811	\$1,622
4	Filing a notice of motion	\$210	\$420
5	Opening or keeping open the registry or part of the registry:		
	(a) on a Saturday, Sunday or public holiday	\$720	\$1,440
	(b) on any other day:		
	(i) before 8.30 am or after 4.30 pm	\$720	\$1,440
	(ii) between 8.30 and 9 am or 4 and 4.30 pm	\$75	\$150
6	Furnishing a copy of the written opinion or reasons for opinion of any member of the Tribunal:		
	(a) for a printed copy	\$71	—
	(b) for any other kind of copy	\$43	—
	Note. A party to proceedings before the Tribunal is entitled to 1 copy of the opinion or reasons for opinion in relation to the proceedings without charge.		
7	Furnishing 1 or more sealed or certified copies of a judgment or order of the Tribunal	\$71	—
8	Making a copy of any document, otherwise than as provided for by item 6 or 7:		
	(a) for up to 5 pages	\$13	—
	(b) for each page over 5 pages	\$3	—
9	Supplying a duplicate recording of sound-recorded evidence, for each disc	\$53	—
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	\$86	—
	(ii) for each page over 8 pages	\$11	—

	Column 1	Column 2	Column 3
Item	Matter for which fee payable	Standard fee	Corporation fee
	(b) for each page, where the matter being transcribed is 3 or more months old:		
	(i) for up to 8 pages	\$104	—
	(ii) for each page over 8 pages	\$13	—
	Note. 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	\$82	\$164
12	Issuing a subpoena to give evidence	\$39	\$78
13	Issuing a subpoena for production and to give evidence	\$82	\$164
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>	\$82	\$164
15	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 an off-site storage facility:		
	(a) standard retrieval request	\$80 per file or box of files	—
	(b) non-standard retrieval request (including an urgent retrieval request, a 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	—
16	Providing any service for which a fee is not otherwise provided for in this Schedule	\$42	\$84
	Note. This fee is chargeable only with the approval of the registrar.		