



New South Wales

# **Criminal Procedure Amendment (Fees) Regulation 2019**

under the

**Criminal Procedure Act 1986**

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Criminal Procedure Act 1986*.

MARK SPEAKMAN, MP  
Attorney General, and Minister for the Prevention of Domestic Violence

## **Explanatory note**

The object of this Regulation is to increase certain fees payable in relation to the following:

- (a) the conduct of criminal proceedings,
- (b) the provision of copies of transcripts of evidence, recorded statements and witnesses' statements,
- (c) the retrieval of, and provision of access to, files or boxes of files from off-site storage facilities,
- (d) the functions exercised by the Sheriff in relation to criminal proceedings.

This Regulation is made under the *Criminal Procedure Act 1986*, including sections 4 (the general regulation-making power), 4A and 114.

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### **1 Name of Regulation**

This Regulation is the *Criminal Procedure Amendment (Fees) Regulation 2019*.

### **2 Commencement**

This Regulation commences on 11 July 2019 and is required to be published on the NSW legislation website.

## Schedule 1 Amendment of Criminal Procedure Regulation 2017

### Schedule 2

Omit the Schedule. Insert instead:

## Schedule 2 Fees

(Clauses 12 and 13)

### Part 1 Court fees

Item	Matter for which fee payable	Fee
1	Filing a court attendance notice under Chapter 4 of the <i>Criminal Procedure Act 1986</i> to commence proceedings to which Parts 2–4 of that Chapter apply	\$97
2	Filing an application under Chapter 4 of the <i>Criminal Procedure Act 1986</i> to commence proceedings to which Part 5 of that Chapter applies, being proceedings in the Land and Environment Court (Class 5 of that Court’s jurisdiction)	\$973
3	Filing an application to commence summary proceedings brought in the District Court, other than proceedings brought by the secretary of an industrial organisation of employees	\$1,922
4	Filing an application to the Local Court for annulment of conviction or sentence under Part 2 of the <i>Crimes (Appeal and Review) Act 2001</i>	\$97
5	Filing a notice of appeal, or an application for leave to appeal, to the District Court under Part 3 of the <i>Crimes (Appeal and Review) Act 2001</i> :	
	(a) in relation to a single offence	\$119
	(b) in relation to more than one offence arising from the same court appearance	\$186
6	Filing a notice of appeal, or an application for leave to appeal, to the Land and Environment Court under Part 4 of the <i>Crimes (Appeal and Review) Act 2001</i> (Class 6 or 7 of that Court’s jurisdiction)	\$973
7	Issuing a certificate of conviction or dismissal	\$62
8	Retrieving, providing access to and furnishing a copy of any document (otherwise than as provided for by items 9 and 11):	
	(a) for up to 20 pages	\$13
	(b) for each 10 pages (or part thereof) after the first 20 pages	\$7
9	Retrieving and providing access to, but not furnishing a copy of, any file or box of files, where the file or box of files is retrieved from an off-site storage facility:	
	(a) standard retrieval request (for each file or box of files)	\$83
	(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 a court

<b>Item</b>	<b>Matter for which fee payable</b>	<b>Fee</b>
10	Supplying a duplicate recording of sound-recorded evidence—per disc	\$54
11	Providing a copy of any deposition or transcript (unless otherwise provided for under any other Act):	
	(a) for each page, where the matter being transcribed is under 3 months old:	
	(i) for up to 8 pages	\$93
	(ii) for each page after the first 8 pages	\$11
	(b) for each page, where the matter being transcribed is 3 months old or older:	
	(i) for up to 8 pages	\$113
	(ii) for each page after the first 8 pages	\$13

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## **Part 2 Sheriff's fees**

<b>Item</b>	<b>Matter for which fee payable</b>	<b>Fee</b>
1	Attending a view by a jury in criminal proceedings	\$191

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