New South Wales

Dust Diseases Tribunal Amendment (Fees) Regulation 2019

under the

Dust Diseases Tribunal Act 1989

Her 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, and Minister for the Prevention of Domestic Violence

Explanatory note

The object of this Regulation is to increase fees payable in respect of proceedings before the Dust Diseases Tribunal.

This Regulation is made under the *Dust Diseases Tribunal Act 1989*, including section 34.

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Dust Diseases Tribunal Act 1989

1   Name of Regulation

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

Schedule 1 Fees

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	$211	$421
2	Filing a cross-claim	$211	$421
3	Filing a request for a first directions hearing (for a claim or cross-claim)	$841	$1,683
4	Filing a notice of motion	$218	$435
5	Opening or keeping open the registry or part of the registry:		
	(a) on a Saturday, Sunday or public holiday	$747	$1,494
	(b) on any other day:		
	(i) before 8.30 am or after 4.30 pm	$747	$1,494
	(ii) between 8.30 and 9 am or 4 and 4.30 pm	$78	$157
6	Furnishing a copy of the written opinion or reasons for opinion of any member of the Tribunal:		
	(a) for a printed copy	$73	—
	(b) for any other kind of copy	$45	—
	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	$73	—
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	$55	—
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:		

	Column 1		Column 2	Column 3
Item	Matter for which fee payable		Standard fee	Corporation fee
	(i)	for up to 8 pages	$90	—
	(ii)	for each page over 8 pages	$11	—
	(b)	for each page, where the matter being transcribed is 3 or more months old:		
	(i)	for up to 8 pages	$108	—
	(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		$85	$171
12	Issuing a subpoena to give evidence		$41	$81
13	Issuing a subpoena for production and to give evidence		$85	$171
14	Receipt by the registrar of a document or thing produced in compliance with a notice to produce under Part 34 of the *Uniform Civil Procedure Rules 2005*		$85	$171
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 (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 the Tribunal	—
16	Providing any service for which a fee is not otherwise provided for in this Schedule		$44	$88
	Note. This fee is chargeable only with the approval of the registrar.			