



New South Wales

# Civil Procedure Amendment (Fees) Regulation (No 2) 2020

under the

Civil Procedure Act 2005

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Civil Procedure Act 2005*.

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

## Explanatory note

The object of this Regulation is to amend the *Civil Procedure Regulation 2017* as follows—

- (a) to provide that the fees for hearing of proceedings before associate judges of the Supreme Court and judges of the Supreme Court are the same,
- (b) to increase the fee payable upon 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* to ensure it is the same as the fee for issuing a subpoena,
- (c) to introduce a fee for the issuing of a notice to produce under Part 34 of the *Uniform Civil Procedure Rules 2005* with the fee being the same as the fee for issuing a subpoena,
- (d) to introduce a fee payable for the cost of the registrar's determination on whether access should be permitted to a file or box of files retrieved where the file or box of files is retrieved from an off-site storage facility.

This Regulation is made under the *Civil Procedure Act 2005*, including section 18 (fees).

## **Civil Procedure Amendment (Fees) Regulation (No 2) 2020**

under the

Civil Procedure Act 2005

### **1 Name of Regulation**

This Regulation is the *Civil Procedure Amendment (Fees) Regulation (No 2) 2020*.

### **2 Commencement**

This Regulation commences on 1 January 2021 and is required to be published on the NSW legislation website.

## Schedule 1 Amendment of Civil Procedure Regulation 2017

**[1] Schedule 1, Part 1 Supreme Court**

Insert “or associate judges,” after “judges,” in the matter relating to item 12 in the table.

**[2] Schedule 1, Part 1**

Omit item 13 in the table.

**[3] Schedule 1, Part 5 Miscellaneous court fees**

Omit “\$89” and “\$178” from item 2 in the table. Insert instead “\$108” and “\$216”, respectively.

**[4] Schedule 1, Part 5**

Insert after item 2 in the table—

2A	Request to the registrar to issue a notice to produce under Part 34 of the <i>Uniform Civil Procedure Rules 2005</i>	\$108	\$216
----	--	-------	-------

**[5] Schedule 1, Part 5**

Insert after item 8 in the table—

8A	Determination by the registrar whether access should be permitted for 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	\$46	\$92
----	---	------	------