



Australian Capital Territory
Gazette

SPECIAL GAZETTE

No. S51, Tuesday 30 March 1993

Administrative Appeals Tribunal Act 1989

DETERMINATION OF FEES

DETERMINATION NO. 27 OF 1993

Commencing on 1 April 1993, under section 59 of the *Administrative Appeals Tribunal Act 1989*, I **REVOKE** Determination No. 7 of 1989 and I **DETERMINE** that -

Witness' fees and allowances for expenses

1. A person summoned to appear as a witness before the Administrative Appeals Tribunal (the Tribunal) shall be paid such fees, and allowances for expenses, in respect of his or her attendance, in accordance with the Schedule to this Determination, as are determined by the Tribunal or by a presidential member of the Tribunal.

A stylized handwritten signature in black ink, consisting of a large initial 'R' followed by a horizontal line of dots.

Attorney General's Initials

2. Administrative Appeals Tribunal Act 1989

2. Administrative Appeals Tribunal Act 1989

THIS IS PAGE 2 OF THE DETERMINATION MADE UNDER SECTION 59 OF THE ADMINISTRATIVE APPEALS TRIBUNAL ACT 1989 SIGNED BY THE ATTORNEY GENERAL ON 25 MARCH 1993.

Application fee

2. (1) Subject to this clause, a fee of \$125.00 is payable in respect of applications to the Tribunal.

(2) An application fee is not payable in respect of an application relating to -

(a) a decision in relation to which, under a program in force under section 12 of the *Housing Assistance Act 1987*, application for review can be made to the Tribunal; or

(b) a decision under the *Rates and Land Rent (Relief) Act 1970*; or

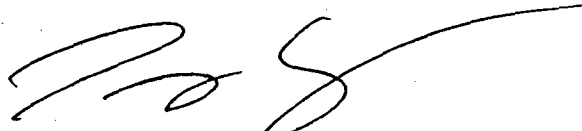
(c) a decision reviewable under section 60 of the *Freedom of Information Act 1989*, being a decision made in relation to a document that relates to a decision specified in (a) or (b) above; or

(d) a referral of a question by a principal officer under section 13 of the *Ombudsman Act 1989*.

Refund of application fee

3. (1) Where the application fee determined in subclause 2(1) has been paid and the proceeding terminates in a manner favourable to the applicant, the fee shall be refunded to the applicant.

Dated 25 March 1993



TERENCE CONNOLLY
ATTORNEY GENERAL

3. *Administrative Appeals Tribunal Act 1989*

THIS IS PAGE 1 OF THE SCHEDULE TO THE DETERMINATION MADE UNDER SECTION 59 OF THE *ADMINISTRATIVE APPEALS TRIBUNAL ACT 1989* SIGNED BY THE ATTORNEY GENERAL ON 25 MARCH 1993

SCHEDULE

WITNESS' FEES AND ALLOWANCES

1. A witness appearing before the Administrative Appeals Tribunal because of his or her professional, scientific or other special skill or knowledge shall be paid an allowance of not less than \$45.00 nor more than \$225.00 for each day on which he or she so appears.
2. A witness, other than a witness referred to in item 1, appearing before the Tribunal shall be paid -
 - (a) if he or she is remunerated by wages, salary or fees -
 - (i) an allowance equal to the amount of wages, salary or fees lost by him or her because of the appearance; or
 - (ii) an allowance of \$50.00 for each day on which he or she so appears;
 - whichever is the lesser; or
 - (b) if he or she is not so remunerated - an allowance of \$25.00 for each day on which he or she so appears.
3. A witness appearing before the Tribunal to give expert evidence shall be paid, in addition to any other allowance payable under item 1 or 2, a reasonable amount for qualifying to give that evidence.

4. Administrative Appeals Tribunal Act 1989

4. *Administrative Appeals Tribunal Act 1989*

THIS IS PAGE 2 OF THE SCHEDULE TO THE DETERMINATION MADE UNDER SECTION 59 OF THE *ADMINISTRATIVE APPEALS TRIBUNAL ACT 1989* SIGNED BY THE ATTORNEY GENERAL ON 25 MARCH 1993.

SCHEDULE

4. A witness appearing before the Tribunal to give evidence shall be paid a reasonable amount -
- (a) in respect of his or her transport to and from the place at which he or she so attends; and
 - (b) if he or she is required to be absent overnight from his or her usual place of residence, for meals and accommodation.

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Attorney General's Initials