



AUSTRALIAN CAPITAL TERRITORY

Magistrates Court Act 1930
Coroners Act 1956

**DETERMINATION OF FEES AND CHARGES APPLICABLE IN THE MAGISTRATES COURT,
THE SMALL CLAIMS COURT AND THE CORONER'S COURT**

DETERMINATION NO. 106 OF 1997


1. Under subsection 248A(1) of the *Magistrates Court Act 1930* and under subsection 74(1) of the *Coroners Act 1956*, with effect from 1 July 1997, I **REVOKE** Determination No. 166 of 1996;
2. under subsection 248A(1) of the *Magistrates Court Act 1930*, with effect from 1 July 1997, I **DETERMINE** the fees and charges set out in the Schedule to this Determination to be the fees and charges payable under section 248B of that Act, subject to the provisions for the exemption and deferral of liability set out in the Schedule; and
3. under subsection 74(1) of the *Coroners Act 1956*, with effect from 1 July 1997, I **DETERMINE** the fees and charges set out in items 6, 7 and 8 of the Schedule to this Determination to be the fees and charges payable under section 75 of that Act, subject to the provision for the deferral of liability set out in the Schedule.

Dated: 4th June 1997


GARY HUMPHRIES
ATTORNEY-GENERAL

SCHEDULE - FEES AND CHARGES TO BE PAID


Item	Matter in respect of which fee is payable	Fee Payable \$
1.	For the laying of an information under section 26 of the <i>Magistrates Court Act 1930</i>	30.00
2.	Subject to item 4, for the provision of a certificate under subsection 143(1) of the <i>Magistrates Court Act 1930</i>	23.00
3.	Subject to item 4, for the provision of a copy of a document referred to in paragraph 144(1)(a), (c) or (d) of the <i>Magistrates Court Act 1930</i> where the provision of the copy requires the drawing up of a relevant document	23.00
4.	Where, for the purposes of subsections 143(1) or 144(1) of the <i>Magistrates Court Act 1930</i> , a copy can be provided by the photocopying of another document -	
	(a) in respect of the application for a copy	2.00
	(b) for each page of copy provided in accordance with the application referred to in paragraph 4(a)	1.00
5.	For the purposes of subsection 147(2C) of the <i>Magistrates Court Act 1930</i>	57.00
6.	In respect of requests for copies of documents, not being applications under subsections 143(1), 144(1) or 255C(1) of the <i>Magistrates Court Act 1930</i> or applications under subsection 418(1) of the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i> -	
	(a) for each request for a copy or copies of a document or documents (regardless of the number of documents to which the request relates)	2.00
	(b) for each page of copy provided in accordance with a request referred to in paragraph 6(a)	1.00
7.	For each page of copy of a document or documents copied by a person, other than an officer of the Magistrates Court, the Small Claims Court or the Coroner's Court, using a Court photocopier	0.20
8.	For the purposes of section 255C of the <i>Magistrates Court Act 1930</i> or for the supply of a copy of a transcript or a copy thereof of an inquest or inquiry in the Coroner's Court -	



 Attorney-General's Initials

SCHEDULE - FEES AND CHARGES TO BE PAID


Item	Matter in respect of which fee is payable	Fee Payable \$
	(a) for each page of a transcript (including preparation of the transcript)	8.25
	(b) for each page of a copy of the transcript	1.00
	The fees in this item apply also in respect of the provision of transcripts and copies of transcripts of proceedings in the Small Claims Court.	
9.	For the institution of proceedings under the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i> -	
	(a) where the amount in dispute is \$10,000 or more	283.00
	(b) where the amount in dispute is less than \$10,000	79.00
	(c) for an application to the Magistrates Court where no amount of money is in dispute	79.00
	(d) for an application under subsection 13A(1) of the <i>Motor Traffic Act 1936</i> or under subsection 36(2) or 40(1) of the <i>Motor Traffic (Alcohol and Drugs) Act 1977</i>	79.00
10.	For the institution of proceedings under the <i>Small Claims Act 1974</i> -	
	(a) where the amount in dispute is \$2,000 or more	79.00
	(b) where the amount in dispute is less than \$2,000	32.00
	(c) in the case of proceedings where no money amount is in dispute	32.00
11.	For serving, and for each attempt to serve, by post, originating process under section 24 of the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i>	13.00
12.	For up to 3 attempts to serve, otherwise than by post, an originating process, a summons, a notice or other civil process at the same address, whether or not the service is successful	57.00
	This item does not apply to service of a claim by the Registrar of the Small Claims Court or in those instances where a charge under item 13 is also payable.	



 Attorney-General's Initials

SCHEDULE - FEES AND CHARGES TO BE PAID

Item	Matter in respect of which fee is payable	Fee Payable \$
13.	For up to 3 attempts to execute process, other than of the Small Claims Court, at the same address, whether or not the execution is successful	183.00
14.	For up to 3 attempts to execute process of the Small Claims Court at the same address, whether or not the execution is successful	57.00
15.	For the purposes of subsection 418(1) of the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i> -	
	(a) in respect of an application (regardless of the number of documents to which the application relates)	2.00
	(b) for each page of copy provided in accordance with an application referred to in paragraph 15(a)	1.00
	These fees apply also to applications and copies provided under subsection 44C(3) of the <i>Small Claims Act 1974</i> .	
16.	For the review of an order, direction or other act of the Registrar of the Magistrates Court.	79.00
	No fee is payable for a review of an order, direction or other act of the Registrar of the Small Claims Court.	
17.	For an inspection under section 419 of the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i> of a record of the Magistrates Court that contains particulars of -	
	(a) a judgment that has been entered under section 43 of the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i> ; or	
	(b) the setting aside of such a judgment under section 221 of the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i>	13.00
	This fee applies also to an inspection under subsection 44C(1) of the <i>Small Claims Act 1974</i> .	
18.	On filing for taxation a bill of costs as between party and party that, as filed, exceeds \$2,000	218.00
	This item does not apply to matters in the Small Claims Court.	



 Attorney-General's Initials

SCHEDULE - FEES AND CHARGES TO BE PAID

Item	Matter in respect of which fee is payable	Fee Payable \$
19.	For the issue of a summons under subsection 187(1) of the <i>Magistrates Court (Civil Jurisdiction) Act 1982</i> or under section 20 of the <i>Small Claims Act 1974</i> -	
	(a) to give evidence	12.00
	(b) for production and to give evidence	23.00
	(c) for production	23.00
	No fee is payable under this item if no fee for filing a document in the proceeding is payable.	
20.	For the supply of a duplicate audio tape recording of a proceeding or of part of a proceeding or of a matter incidental to a proceeding - per cassette	31.00
21.	For the supply of a duplicate video tape recording of a proceeding or of part of a proceeding or of a matter incidental to a proceeding - per tape	41.00
22.	For the supply of a computer disk containing a record of a proceeding or of part of a proceeding or of a matter incidental to a proceeding - per disk	11.00


EXEMPTION FROM LIABILITY FOR PAYMENT

No fee for filing a document or fee for the service or execution of process is payable in relation to proceedings under the *Birth (Equality of Status) Act 1988*.

Note: other exemptions from the payment of fees are set out in section 248C of the *Magistrates Court Act*.

DEFERRAL OF LIABILITY FOR PAYMENT

The Registrar of the Magistrates Court, the Registrar of the Small Claims Court and the Registrar of the Coroner's Court may defer liability for the payment of a fee or charge for the performance of a function or the provision of a facility or service, in whole or in part, for a period not in excess of 14 days if, in the Registrar's opinion, payment cannot be made at the time of the request for the function, facility or service, but payment could be made within 14 days after the making of the request.


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Attorney-General's Initials