



AUSTRALIAN CAPITAL TERRITORY

*Supreme Court Act 1933*

DETERMINATION OF FEES AND CHARGES APPLICABLE IN THE SUPREME  
COURT

INSTRUMENT NO. 150 OF 1999

1. This determination comes into operation on 1 July 1999.
2. Under subsection 37(1) of the *Supreme Court Act 1933*, I **REVOKE** Determination No. 96 of 1998 and I **DETERMINE** the fees and charges set out in the Schedule to this Determination to be the fees and charges payable under section 37A of that Act, subject to the provisions for the exemption and deferral of liability and the remission or refund of a fee or charge set out in the Schedule.

Dated: 24<sup>th</sup> June 1999

**GARY HUMPHRIES**  
Attorney-General

**SCHEDULE - FEES AND CHARGES TO BE PAID**

<b>Item</b>	<b>Matter in respect of which fee or charge is payable</b>	<b>Amount Payable</b>
1.	On lodging for filing a document to commence a proceeding in the Court, including an application for probate, other than: <ul style="list-style-type: none"> <li>(a) in respect of a matter referred to in item 3, 4, 14 or 18; or</li> <li>(b) an interlocutory or incidental proceeding in the course of, or in connection with, a proceeding.</li> </ul>	\$520
2.	On the fixing of a date for the hearing of a proceeding (other than an interlocutory or incidental proceeding): <ul style="list-style-type: none"> <li>(a) in a proceeding under the <i>Criminal Injuries Compensation Act 1983</i>;</li> <li>(b) in any other proceeding.</li> </ul>	\$88 \$550
<p>The person liable to pay the fee is the plaintiff, the appellant or such other party to the application as is ordered by the Court (which for the purposes of this determination includes the Registrar and the Deputy Registrar) in such proportion ordered.</p> <p>Where the filing fee in respect of the proceedings has been waived or the person commencing the proceedings is exempt from payment of a filing fee (other than in respect of a proceeding under the <i>Criminal Injuries Compensation Act 1983</i>), no fee is payable under this item.</p> <p>(Note: see section 37B of the <i>Supreme Court Act 1933</i> in relation to waivers, and exemptions.)</p>		
3.	On filing a cross claim or counter claim in any proceeding.	\$520
4.	On lodging for filing a document to commence an appeal from the Master or the Registrar in an interlocutory proceeding.	\$115
5.	On lodging for filing a document to commence an appeal from the Master or the Registrar in a proceeding other than an interlocutory proceeding.	\$520
6.	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

**SCHEDULE - FEES AND CHARGES TO BE PAID**

<b>Item</b>	<b>Matter in respect of which fee or charge is payable</b>	<b>Amount Payable</b>
7.	For each page of copy provided in accordance with a request referred to in the previous item.	\$1.00
8.	For the issue under Order 39 Rule 25 of the <i>Supreme Court Rules</i> of a subpoena in a civil proceeding:	
	(a) to give evidence;	\$25
	(b) for production and to give evidence;	\$50
	(c) for production.	\$50
	No fee is payable under this item if no fee for filing a document in relation to the proceeding is payable.	
9.	On lodging for taxation a bill of costs as between party and party that, as lodged, exceeds \$2,000.	\$230
10.	For up to 3 attempts to serve process at the same address, whether or not the service is successful.	\$60
11.	For up to 3 attempts to execute process at the same address, whether or not the execution is successful.	\$195
12.	For expenses reasonably incurred by the Court in the execution of process or attempted execution of process for which a fee is payable under the previous item.	The amount of the expenses.
13.	For opening the offices of the Court -	
	between 9.00 am and 9.15 am or between 4.15 pm and 5.00 pm on a day other than a Saturday, Sunday or public holiday;	\$60
	at any time -	
	on a Saturday, Sunday or public holiday; or	
	outside the hours of 9.00 am to 5.00 pm on a day of the week other than a day referred to in subparagraph 13(II)(A).	\$120

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<b>Item</b>	<b>Matter in respect of which fee or charge is payable</b>	<b>Amount Payable</b>
14.	On lodging an application for admission to practice or for enrolment under the <i>Legal Practitioners Act 1970</i> or on lodging a notice seeking registration under the Mutual Recognition Scheme.	\$235
15.	For the certification of judgments or the provision of certified copies of judgments (including the supply of an additional certificate of enrolment or registration referred to in the previous item).	\$35
16.	For non-party production under order 34B of the <i>Supreme Court Rules</i> .	\$26
17.	On lodging for the entry of judgment or consent order under order 42 of the <i>Supreme Court Rules</i> .	\$50
18.	For the making of an application for the removal or transfer to the Supreme Court of proceedings commenced in the Magistrates Court.	\$265
	No fee is payable in the Supreme Court where no filing fee was payable for the commencement of the proceedings in the Magistrates Court.	
19.	For undertaking a registry search (other than by a party to the proceedings to which the search relates).	\$20
20.	For providing a certified copy of a document.	\$20

**EXEMPTION FROM LIABILITY FOR PAYMENT**

No fee for lodging for filing a document or fee for the service or execution of process is payable by any person 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 37B of the *Supreme Court Act*.)

**DEFERRAL OF LIABILITY FOR PAYMENT**

The Registrar of the Supreme 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.