

Australian Capital Territory

Attorney General (Determination of Fees and Charges for 2003/2004) – 2003 (No 1)

Disallowable instrument DI 2003-90

made under the

<i>Agents Act 1968</i>	s 120A (Determination of fees)
<i>Consumer Credit (Administration) Act 1996</i>	s 140 (Determination of fees)
<i>Liquor Act 1975</i>	s 179 (Determination of fees)
<i>Sale of Motor Vehicles Act 1977</i>	s 91 (Determination of fees and charges)
<i>Trade Measurement (Administration) Act 1991</i>	s 12 (Determination of fees)
<i>Classification (Publications, Films And Computer Games) (Enforcement) Act 1995</i>	s 67 (Determination of fees)
<i>Prostitution Act 1992</i>	s 29 (Determination of fees)
<i>Second-hand Dealers Act 1906</i>	s 17 (Determination of fees and charges)
<i>Pawnbrokers Act 1902</i>	s 27 (Determination of fees and charges)
<i>Public Trustees Act 1985</i>	s 75 (Determination of fees and charges)
<i>Adoption Act 1993</i>	s 118 (Determination of fees)
<i>Associations Incorporation Act 1991</i>	s 125 (Determination of fees)
<i>Business Names Act 1963</i>	s 32 (Determination of fees)
<i>Births, Deaths and Marriages Registration Act 1997</i>	s 67 (Determination of fees)
<i>Instruments Act 1933</i>	s 37 (Determination of fees)
<i>Land Titles Act 1925</i>	s 139 (Determination of fees, charges and other amounts)
<i>Registration of Deeds Act 1957</i>	s 8 (Determination of fees)
<i>Magistrates Court Act 1930</i>	s 248A(1) (Determination of fees)
<i>Supreme Court Act 1933</i>	s 37 (Fees and charges - determination)

1. This determination may be cited as *Determination of Fees and Charges for 2003/2004 – Attorney-General*.
2. This determination comes into effect 01 July 2003.
3. I **REVOKE** No 126 of 2002 Determination of Fees and Charges for 2002/2003 – Attorney General. Schedule 1 sets out the legislative authority under which the revocation is made.
4. I **DETERMINE** the fees payable by a person for a service identified in Schedule 2 items 1 to 5. Schedule 1 sets out the legislative authority under which the determination is made is payable to the Registrar of Agents.
5. I **DETERMINE** the fees payable by a person for a service identified in Schedule 2 items 6 to 63, 90 to 121 and 125 to 229. Schedule 1 sets out the legislative authority under which the determination is made is payable to the ACT.
6. I **DETERMINE** the fees payable by a person for a service identified in Schedule 2 items 64 to 89. Schedule 1 sets out the legislative authority under which the determination is made is payable to the Public Trustee.
7. I **DETERMINE** the fees payable by a person for a service identified in Schedule 2 items 122 to 124. Schedule 1 sets out the legislative authority under which the determination is made is payable to the Registrar General.
8. The payment of the fee may be deferred in accordance with Schedule 2 where applicable.
9. Explanatory notes (including the previous years fee) are included in the schedules in italic text. General explanatory notes are included at the end of schedule in italic text. Explanatory notes in italic text and general explanatory notes in italic text do not form part of the determination. (For example, the following twelve words, if included in a schedule, would not form part of the determination: *Explanatory Note: explanatory notes and general explanatory notes are in italic text*).

Jon Stanhope
Attorney General
2 June 2003

SCHEDULE 1 – Legislative Authorities and Items

<i>Legislative Authority</i>	<i>Section</i>	<i>Item(s) in Schedule 2</i>
Agents Act 1968	Section 120A	1 – 5
Consumer Credit (Administration) Act 1996	Section 140	6 – 9
Liquor Act 1975	Section 179	10 – 14
Sale of Motor Vehicles Act 1977	Section 91	15 – 17
Trade Measurement (Administration) Act 1991	Section 12	18 – 47
Classification (Publications, Films And Computer Games) (Enforcement) Act 1995	Section 67	48 – 59
Prostitution Act 1992	Section 29	60 - 61
Second-hand Dealers Act 1906	Section 17	62
Pawnbrokers Act 1902	Section 27	63
Public Trustees Act 1985	Section 75	64 – 89
Adoption Act 1993	Section 118	90
Associations Incorporation Act 1991	Section 125(1)	91 – 105
Business Names Act 1963	Section 32	106 – 114
Births, Deaths and Marriages Registration Act 1997	Section 67(1)	115 – 121
Instruments Act 1933	Section 37(1)	122 – 124
Land Titles Act 1925	Section 139(1)	125 – 172
Registration of Deeds Act 1957	Section 8(1)	173 – 174
Magistrates Court Act 1930	Subsection 248A(1)	175 – 200
Supreme Court Act 1933	Subsection 37(1)	201 – 229

Attorney-General: _____

SCHEDULE 2 - FEES AND CHARGES TO BE PAID

Item	Matter in respect of which fee or charge is payable	Amount Payable
<i>Legislative Authority Agents Act 1968</i>		
1	Fee payable for each certificate of registration held under section 41A of the Agents Act 1968. <i>Explanatory Note: Last Financial Year the fee was \$76.00.</i>	\$ 78.00 (apportioned on a monthly or part thereof basis if less than twelve months)
2	Fee payable for a licence under section 54A of the Agents Act 1968 for a real estate agent, stock and station agent or business agent by a person other than a company Fee payable for a licence under section 54A of the Agents Act 1968 for a real estate agent, stock and station agent or business agent by a company <i>Explanatory Note: Last Financial Year the fee was \$76.00, \$323.00 and \$76.00 respectively.</i>	\$ 78.00 for the first licence or for each subsequent licence (apportioned on a monthly or part thereof basis if less than twelve months) \$ 331.00 for the first licence (apportioned on a monthly or part thereof basis if less than twelve months) and \$ 78.00 for each subsequent licence (apportioned on a monthly or part thereof basis if less than twelve months)
3	Fee payable for a licence under section 54A of the Agents Act 1968 for a travel agent <i>Explanatory Note: Last Financial Year the fee was \$371.00 and \$156.00 respectively.</i>	\$ 380.00 for the principal place of business (apportioned on a monthly or part thereof basis if less than twelve months) and \$ 160.00 for each additional place of business (apportioned on a monthly or part thereof basis if less than twelve months)
4	Fee payable for a licence under section 54A of the Agents Act 1968 for an employment agent <i>Explanatory Note: Last Financial Year the fee was \$371.00 and \$156.00 respectively.</i>	\$ 380.00 for the principal place of business (apportioned on a monthly or part thereof basis if less than twelve months) and \$ 160.00 for each additional place of business (apportioned on a monthly or part thereof basis if less than twelve months)
5	Provision of a transcript of proceedings where the request for the transcript requires the preparation of the document. <i>Explanatory Note: Last financial year the fees were \$10.07, \$9.51, \$8.90, \$8.77 & \$8.29 respectively.</i>	\$10.30 same day \$ 9.70 per page next day \$ 9.10 per page 2-3 days \$ 9.00 per page 3-5 days \$ 8.50 per page within 20 days

Attorney-General: _____

SCHEDULE 2 - FEES AND CHARGES TO BE PAID

Item	Matter in respect of which fee or charge is payable	Amount Payable
<i>Legislative Authority Consumer Credit (Administration) Act 1996</i>		
6	Fee for an application for registration as a Credit Provider under section 11(3) of the Credit (Administration) Act 1996.	\$ 1,085.00 for initial place of business (apportioned on a monthly or part thereof basis if less than twelve months) & \$ 527.00 for each additional place of business (apportioned on a monthly or part thereof basis if less than twelve months)
	<i>Explanatory Note: Last Financial Year the fee was \$1,1059.00 and \$514.00 respectively.</i>	
7	Fee for the annual renewal of registration of a Credit Provider under section 16(1) of the Credit (Administration) Act 1996.	\$ 1,085.00 for initial place of business (apportioned on a monthly or part thereof basis if less than twelve months) & \$ 527.00 for each additional place of business (apportioned on a monthly or part thereof basis if less than twelve months)
	<i>Explanatory Note: Last Financial Year the fee was \$1,059.00 and \$514.00 respectively.</i>	
8	Application fee for registration as a Finance Broker under section 42(3) of the Credit (Administration) Act 1996.	\$ 1,085.00 for initial place of business (apportioned on a monthly or part thereof basis if less than twelve months) & \$ 527.00 for each additional place of business (apportioned on a monthly or part thereof basis if less than twelve months)
	<i>Explanatory Note: Last Financial Year the fee was \$1,059.00 and \$514.00 respectively.</i>	
9	Annual Renewal fee for a Finance Broker under section 47(1) of the Credit (Administration) Act 1996.	\$ 1,085.00 for initial place of business (apportioned on a monthly or part thereof basis if less than twelve months) & \$ 527.00 for each additional place of business (apportioned on a monthly or part thereof basis if less than twelve months)
	<i>Explanatory Note: Last Financial Year the fee was \$1,059.00 and \$514.00 respectively.</i>	

Attorney-General: _____

SCHEDULE 2 - FEES AND CHARGES TO BE PAID

Item	Matter in respect of which fee or charge is payable	Amount Payable
<i>Legislative Authority</i> <i>Liquor Act 1975</i>		
10	Fee for the issue of a licence under section 57(1) of the Liquor Act 1975.	\$ 1,444.00 (On licence) \$ 1,444.00 (Off licence) \$ 1,444.00 (Club licence) \$ 2,167.00 (Special licence) \$ 1,777.00 (General licence)
	<i>Explanatory Note:</i> <i>Last Financial Year the Fees were \$1,409.00, \$1,409.00, \$1,409.00, \$2,114.00 and \$1,734.00 respectively</i>	
11	Fee for the renewal of a licence under section 59(1) of the Liquor Act 1975.	An amount equal to: (a) \$ 2,500.00, or (b) \$ 900.00 if the value of alcohol products held for sale during the immediately preceding financial year was \$100,000 or less.
	<i>Explanatory Note:</i> <i>Last Financial Year the Fees were \$2,148.00 and \$807.00 respectively</i>	
12	Fee for the transfer of a licence under section 63(5) of the Liquor Act 1975.	\$ 1,084.0000
	<i>Explanatory Note:</i> <i>Last Financial Year the fee was \$1,058.00</i>	
13	Fee payable when lodging an application for the issue of a liquor permit under section 107(2) of the Liquor Act 1975.	An amount based on purchases of alcohol products, equal to: (a) \$ 33.00 for purchases of \$2,000 or less; or (b) \$ 108.00 for purchases over \$2,000.
	<i>Explanatory Note:</i> <i>Last Financial Year the fee was \$32.00 and \$105.00 respectively.</i>	
14	Fee payable when lodging an application for the issue of a proof of age card under section 107(2) of the Liquor Act 1975.	\$ 5.00 for persons aged 18 years or over.
	<i>Explanatory Note:</i> <i>Last Financial Year the fee was the same.</i>	
<i>Legislative Authority</i> <i>Sale of Motor Vehicles Act 1977</i>		
15	Fee for the issue of a licence for a period of 12 months or less under section 14 of the Sale of Motor Vehicle Act 1977.	\$ 398.00 for 12 months (apportioned or part thereof basis if less than twelve months)
	<i>Explanatory Note:</i> <i>Last Financial Year the fee was \$388.00.</i>	
16	Fee for the renewal of a licence for a further period of 12 months under section 14D of the Sale of Motor Vehicle Act 1977.	\$ 398.00 for 12 months (apportioned or part thereof basis if less than twelve months)
	<i>Explanatory Note:</i> <i>Last Financial Year the fee was \$388.00.</i>	
17	Contribution to the ACT Motor Vehicle Dealers Compensation Fund for the purposes of section 59 of the Sale of Motor Vehicle Act 1977.	\$ 344.00 for 12 months (apportioned or part thereof basis if less than twelve months)
	<i>Explanatory Note:</i> <i>Last Financial Year the fee was \$336.00.</i>	

Attorney-General: _____

SCHEDULE 2 - FEES AND CHARGES TO BE PAID

Item	Matter in respect of which fee or charge is payable	Amount Payable
<i>Legislative Authority Trade Measurement (Administration) Act 1991</i>		
18	Inspection of masses (not associated with a particular weighing instrument) under section 10 of the Trade Measurement (Administration) Act 1991. <i>Explanatory Note: Last Financial Year the fee was \$59.00.</i>	\$ 60.00 per half hour for each 5 masses or part thereof
19	Inspection of volume measures under section 10 of the Trade Measurement (Administration) Act 1991. <i>Explanatory Note: Last Financial Year the fee was \$59.00.</i>	\$ 60.00 per half hour for each 5 volume measures or part thereof
20	Inspection of beverage & oil measuring instruments under section 10 of the Trade Measurement (Administration) Act 1991. <i>Explanatory Note: Last Financial Year the fee was \$59.00.</i>	\$ 60.00 per half hour – for each 5 instruments or part thereof
21	Inspection of length measuring instruments under section 10 of the Trade Measurement (Administration) Act 1991. <i>Explanatory Note: Last Financial Year the fee was \$59.00.</i>	\$ 60.00 per half hour – for each 5 instruments or part thereof
22	Inspection of weighing instruments under section 10 of the Trade Measurement (Administration) Act 1991. <i>Explanatory Note: Last Financial Year the fee was \$59.00.</i>	\$ 60.00 each instrument not exceeding 30kg capacity including a set of masses
23	Inspection of weighing instruments under section 10 of the Trade Measurement (Administration) Act 1991. <i>Explanatory Note: Last Financial Year the fee was \$92.00.</i>	\$ 94.00 each instrument exceeding 30kg but not exceeding 200kg in capacity
24	Inspection of weighing instruments under section 10 of the Trade Measurement (Administration) Act 1991. <i>Explanatory Note: Last Financial Year the fee was \$153.00.</i>	\$ 157.00 each instrument exceeding 200kg but not exceeding 1 tonne capacity
25	Inspection of weighing instruments under section 10 of the Trade Measurement (Administration) Act 1991. <i>Explanatory Note: Last Financial Year the fee was \$258.00.</i>	\$ 264.00 each instrument exceeding 1 tonne but not exceeding 3 tonnes in capacity
26	Inspection of weighing instruments under section 10 of the Trade Measurement (Administration) Act 1991. <i>Explanatory Note: Last Financial Year the fee was \$376.00.</i>	\$ 385.00 each instrument exceeding 3 tonnes but not exceeding 20 tonnes in capacity
27	Inspection of weighing instruments under section 10 of the Trade Measurement (Administration) Act 1991. <i>Explanatory Note: Last Financial Year the fee was \$537.00.</i>	\$ 550.00 each instrument exceeding 20 tonnes but not exceeding 90 tonnes in capacity
28	Inspection of wheel load weighers under section 10 of the Trade Measurement (Administration) Act 1991. <i>Explanatory Note: Last Financial Year the fee was \$59.00.</i>	\$ 60.00 per half hour
29	Inspection of flowmeters (excluding LPG Flowmeters) under section 10 of the Trade Measurement (Administration) Act 1991. <i>Explanatory Note: Last Financial Year the fee was \$92.00.</i>	\$ 94.00 each instrument not exceeding 100 litres/min flow rate

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SCHEDULE 2 - FEES AND CHARGES TO BE PAID

Item	Matter in respect of which fee or charge is payable	Amount Payable
30	Inspection of flowmeters (excluding LPG Flowmeters) under section 10 of the Trade Measurement (Administration) Act 1991. <i>Explanatory Note: Last Financial Year the fee was \$30600.</i>	\$ 314.00 each instrument exceeding 100 litres/min but not exceeding 1000 litres/min flow rate
31	Inspection of flowmeters (excluding LPG Flowmeters) under section 10 of the Trade Measurement (Administration) Act 1991. <i>Explanatory Note: Last Financial Year the fee was \$612.00.</i>	\$ 627.00 each instrument exceeding 1000 litres/min flow rate
32	Inspection of LPG flowmeters under section 10 of the Trade Measurement (Administration) Act 1991. <i>Explanatory Note: Last Financial Year the fee was \$175.00.</i>	\$ 179.00 each instrument not exceeding 100 litres/min flow rate
33	Inspection of LPG flowmeters under section 10 of the Trade Measurement (Administration) Act 1991. <i>Explanatory Note: Last Financial Year the fee was \$314.00.</i>	\$ 322.00 each instrument exceeding 100 litres/min flow rate.
34	Inspection of liquor dispensers under section 10 of the Trade Measurement (Administration) Act 1991. <i>Explanatory Note: Last Financial Year the fee was the same.</i>	\$ 10.00 per dispenser
35	For a test or inspection carried out in accordance with Regulation 13 of the National Measurement Regulations or any Australian or equivalent standard under section 10 of the Trade Measurement (Administration) Act 1991. <i>Explanatory Note: Last Financial Year the Fees were \$59.00, \$64.90 (including 10% GST) respectively</i>	\$ 60.50 per half hour for Regulation 13 or Quality Assurance work (where the Trade Measurement Unit is not supplying a commercial service in competition with a person authorised to supply verification or certification services, or is not hiring test equipment). \$ 66.50 (including 10% GST) per half hour for Regulation 13 or Quality Assurance work (where the Trade Measurement Unit is supplying a commercial service in competition with a person authorised to supply verification or certification services, or is hiring test equipment).
36	An additional fee when the inspector must wait before the measuring instrument is available for testing under section 10 of the Trade Measurement (Administration) Act 1991. <i>Explanatory Note: Last Financial Year the fee was \$59.00.</i>	\$ 60.00 per half hour
37	An additional fee for measuring instrument with an approved device such as a console, ticket printer, cash register or card reader attached under section 10 of the Trade Measurement (Administration) Act 1991. <i>Explanatory Note: Last Financial Year the fee was \$50.00.</i>	\$ 60.00
38	Where an inspection is carried out for which no fee or charge is specified under section 10 of the Trade Measurement (Administration) Act 1991. <i>Explanatory Note: Last Financial Year the fee was \$59.00.</i>	\$ 60.00 per half hour
39	Application for Servicing Licence or Public Weighbridge Licence under section 44(1) of the Trade Measurement Act 1991. <i>Explanatory Note: Last Financial Year the fee was \$67.00.</i>	\$ 69.00

Attorney-General: _____

SCHEDULE 2 - FEES AND CHARGES TO BE PAID

Item	Matter in respect of which fee or charge is payable	Amount Payable
40	Issue of an Annual Servicing Licence under section 52(1) of the Trade Measurement Act 1991. <i>Explanatory Note: Last Financial Year the fee was \$258.00.</i>	\$ 264.00 per annum for each business premises
41	Issue of an Annual Public Weighbridge Licence under section 52(1) of the Trade Measurement Act 1991. <i>Explanatory Note: Last Financial Year the fee was \$195.00.</i>	\$ 200.00 per annum for each public weighbridge
42	Application fee for a certificate of suitability for a weighbridge under section 15(1) of the Trade Measurement (Weighbridges) Regulations. <i>Explanatory Note: Last Financial Year the fee was \$71.00.</i>	\$ 73.00
43	Issue of duplicate licence or certificate under section 17(1) of the Trade Measurement (Weighbridges) Regulations. <i>Explanatory Note: Last Financial Year the fee was \$21.00.</i>	\$ 22.00
44	Charges Payable for the use of the Weighbridge Test Unit provided by the Commissioner for Fair Trading at the request of a licensed certifier or measuring instrument owner under section 11 of the Trade Measurement (Administration) Act 1991. <i>Explanatory Note: Last Financial Year the Fees were \$336.60 (including 10% GST) and \$64.90 (including 10% GST) respectively</i>	\$ 345.00 (including 10% GST) for the first two hours and then \$ 66.00 (including 10% GST) per half hour
45	Charges Payable for hire of masses provided by the Commissioner for Fair Trading at the request of a licensed certifier or measuring instrument owner under section 11 of the Trade Measurement (Administration) Act 1991. <i>Explanatory Note: Last Financial Year the Fees were \$58.30, \$236.50, \$64.90 (including 10% GST) respectively</i>	\$ 56.00 (including 10% GST) per day or part thereof per 200kg or part thereof (of 10kg and 20kg masses) \$ 242.00 (including 10% GST) per day or part thereof per 10 tonne or part thereof (of 1 tonne masses) \$ 66.00 (including 10% GST) per 1/2 hour or part thereof (for delivery, pickup, loading, unloading, repairs/recalibration)
46	Charges Payable for hire of measuring instruments provided by the Commissioner for Fair Trading at the request of a licensed certifier or measuring instrument owner under section 11 of the Trade Measurement (Administration) Act 1991. <i>Explanatory Note: Last Financial Year the fee was \$63.80 (including 10% GST).</i>	\$ 65.00 (including 10% GST) per day or part thereof for each instrument
47	Charges payable for supply of certifier's return book under section 11 of the Trade Measurement (Administration) Act 1991. <i>Explanatory Note: Last Financial Year the fee was \$33.00.</i>	\$ 34.00

Attorney-General: _____

SCHEDULE 2 - FEES AND CHARGES TO BE PAID

Item	Matter in respect of which fee or charge is payable	Amount Payable
	<i>Legislative Authority Classification (Publications, Films and Computer Games) (Enforcement) Act 1995</i>	
48	For the purpose of S54C - In the case of a licence for a period of 12 months for each premises where X films are sold <i>Explanatory Note: Last Financial Year the fee was \$10,250.00.</i>	\$ 10,506.00
49	For the purpose of S54C - In the case of a licence for a period of less than 12 months, for each premises where X films are sold, for each month or part thereof for which the licence is issued <i>Explanatory Note: Last Financial Year the fee was \$854.00.</i>	\$ 875.00
50	For the purpose of S54C - In the case of a licence for a period of 12 months for each premises where X films are copied <i>Explanatory Note: Last Financial Year the fee was \$10,250.00.</i>	\$ 10,506.00
51	For the purpose of S54C - In the case of a licence for a period of less than 12 months, for each premises where X films are copied, for each month or part thereof for which the licence is issued <i>Explanatory Note: Last Financial Year the fee was \$854.00.</i>	\$ 875.00
52	For the purpose of S54C - In the case of a licence for a period of 12 months, for each premises where X films are sold and copied <i>Explanatory Note: Last Financial Year the fee was \$20,500.00.</i>	\$ 21,013.00
53	For the purpose of S54C - For each of any other premises where X films are sold or copied <i>Explanatory Note: Last Financial Year the fee was \$10,250.00.</i>	\$ 10,506.00
54	For the purpose of S54C - In the case of a licence for a period of less than 12 months, for each premises where X films are sold and copied, for each month or part thereof for which the licence is issued <i>Explanatory Note: Last Financial Year the fee was \$1,708.00.</i>	\$ 1,751.00
55	For the purpose of S54C - Plus for each of any other premises where X films are sold or copied, for each month or part thereof for which the licence is issued <i>Explanatory Note: Last Financial Year the fee was \$854.00.</i>	\$ 875.00
56	For the purpose of S54H - In the case of a licence for a period of 12 months for each premises where X films are sold <i>Explanatory Note: Last Financial Year the fee was \$10,250.00.</i>	\$ 10,506.00
57	For the purpose of S54C - In the case of a licence for a period of 12 months for each premises where X films are copied <i>Explanatory Note: Last Financial Year the fee was \$10,250.00.</i>	\$ 10,506.00
58	For the purpose of S54C - In the case of a licence for a period of 12 months, for each premises where X films are sold and copied <i>Explanatory Note: Last Financial Year the fee was \$20,500.00.</i>	\$ 21,013.00
59	For the purpose of S54C - For each of any other premises where X films are sold or copied <i>Explanatory Note: Last Financial Year the fee was \$10,250.00.</i>	\$ 10,506.00

Attorney-General: _____

SCHEDULE 2 - FEES AND CHARGES TO BE PAID

Item	Matter in respect of which fee or charge is payable	Amount Payable
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Legislative Authority *Prostitution Act 1992*

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|----|---|-----------|
| 60 | Give Registrar written notice within 7 days of commencing operations under subsection 12(1)
<i>Explanatory Note: Last Financial Year the fee was \$205.00.</i> | \$ 210.00 |
| 61 | Give Registrar written notice by the defined day under subsection 13(1)
<i>Explanatory Note: Last Financial Year the fee was \$103.00.</i> | \$ 106.00 |

Legislative Authority *Second-hand Dealers Act 1906*

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|----|---|--|
| 62 | Annual Licence fee

<i>Explanatory Note: Last financial year the fee was \$94.00.</i> | \$ 96.00 (apportioned on a monthly or part thereof basis if less than twelve months) |
|----|---|--|

Legislative Authority *Pawnbrokers Act 1902*

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|----|---|--|
| 63 | Annual Licence fee

<i>Explanatory Note: Last financial year the fee was \$94.00.</i> | \$ 96.00 (apportioned on a monthly or part thereof basis if less than twelve months) |
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Legislative Authority *Public Trustees Act 1985*

MISCELLANEOUS CHARGES

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|----|---|--|
| 64 | For any service not dealt within any other Public Trustee items in this determination.

Where property is involved

Where property is not involved

<i>Explanatory Note: Last Financial Year the Fees were the same and \$102.00 (including 10% GST) respectively</i> | The standard fee as per the scale chargeable under the first determined item for the Public Trustee (or such lesser fee as is agreed between the recipient of the service and the Public Trustee).

\$ 105.00 (including 10% GST) per hour |
|----|---|--|

ACTING AS AGENT OR ATTORNEY

- | | | |
|----|---|---|
| 65 | Examining and reporting any accounts in any matter not under the direct control of the Public Trustee when acting as an agent or attorney

<i>Explanatory Note: Last Financial Year the fee was \$102.00 (including 10% GST).</i> | \$ 105.00 (including 10% GST) per hour |
| 66 | Acting as an agent or attorney in administering or managing property

<i>Explanatory Note: Last Financial Year the fee was the same.</i> | 1.10 % of moneys received and/or the standard fee as per the scale chargeable for estate administration, on non monetary assets |

Attorney-General: _____

SCHEDULE 2 - FEES AND CHARGES TO BE PAID

Item	Matter in respect of which fee or charge is payable	Amount Payable
<i>COLLECTION OF INCOME</i>		
67	Income commission on all gross income received by the Public Trustee acting in any capacity Where the Public Trustee receives income which is not subject to any agency charge Where the Public Trustee receives income, eg property rent, which is subject to any agency charge for collection <i>Explanatory Note: Last Financial Year the fee was the same.</i>	5.50 % 2.75 %
<i>ESTATE ADMINISTRATION</i>		
68	Obtaining a grant of representation and/or administering the estate of a deceased person. The fee is based on the gross capital value of the estate excluding the value of the matrimonial home (being the house and curtilage that was used as the principal matrimonial home by the deceased and his or her partner immediately before the death of the deceased) <i>Explanatory Note: Last Financial Year the fee was the same.</i>	4.50 % of the first \$200,000; 4.00 % of the next \$200,000; 3.00 % of the next \$200,000; 2.00 % of the next \$200,000; 1.00 % thereafter; with a minimum of \$730.00 (fee calculated is GST inclusive)
69	Transferring or conveying the matrimonial home (as defined in the first Public Trustee item above) and/or assets held as joint tenants to the surviving partner. <i>Explanatory Note: Last Financial Year the fee was \$102.00 (including 10% GST).</i>	\$ 105.00 (including 10% GST) per hour with a minimum of 1 hour
70	Where a fee is not payable under the first Public Trustee item above and where administration of an estate is commenced by the Public Trustee but completed by another executor or administrator or person other than at the initiative of the Public Trustee <i>Explanatory Note: Last Financial Year the fee was \$102.00 (including 10% GST).</i>	\$ 105.00 (including 10% GST) per hour with a minimum of 1 hour
71	For resealing a grant of probate or administration made outside the Territory. <i>Explanatory Note: Last Financial Year the fee was the same.</i>	50.00 % of the standard fee as per the scale chargeable for estate administration under the first determined item for the Public Trustee, applied to the gross value of ACT property excluding the value of the matrimonial home (fee calculated is GST inclusive)
72	Rate of Management fee for the administration of moneys held in the Common Funds. <i>Explanatory Note: Last Financial Year the fee was the same.</i>	1.10 % per annum of the gross value (Resulting Fee is GST Inclusive)
73	Rate of management fee for the administration of moneys held in the Common Fund Guarantee and Reserve Account <i>Explanatory Note: Last Financial Year the fee was the same.</i>	1.10 % per annum of the gross value (Resulting Fee is GST Inclusive)
<i>OTHER CHARGES (Charges are made for the following services, in addition to estate and trust</i>		
74	Accepting and holding documents in safe custody <i>Explanatory Note: Last Financial Year the fee was \$51.00 (including 10% GST).</i>	\$ 52.00 (including 10% GST) payable on acceptance
75	Attendance by the Public Trustee or an officer of the Public Trustee or for any other purposes not being for normal administration purposes <i>Explanatory Note: Last Financial Year the fee was \$102.00 (including 10% GST).</i>	\$ 105.00 (including 10% GST) per hour or part thereof including travelling and waiting time
76	Arranging the purchase, extension, alteration or modification of property (real or personal) for the use of any beneficiary or other person legally entitled	1.10 % of the gross value of the purchase, extension, alteration of modification

Attorney-General: _____

SCHEDULE 2 - FEES AND CHARGES TO BE PAID

Item	Matter in respect of which fee or charge is payable	Amount Payable
	<i>Explanatory Note: Last Financial Year the fee was the same.</i>	
77	Managing assets invested outside the Public Trustee Common Funds, excluding principal residence Services charged on an hourly basis:	1.10 % per annum of the gross value \$ 105.00 (including 10% GST) per hour
	<i>Explanatory Note: Last Financial Year the Fee was 1.10% and \$102.00 (including 10% GST) respectively</i>	
78	Genealogy matters	\$ 105.00 (including 10% GST) per hour
	<i>Explanatory Note: Last Financial Year the fee was \$102.00 (including 10% GST).</i>	
79	Life assurance or superannuation claims (where proceeds are not paid to the estate)	\$ 105.00 (including 10% GST) per hour
	<i>Explanatory Note: Last Financial Year the fee was \$102.00 (including 10% GST).</i>	
80	Preparing deeds, renunciations and releases	\$ 105.00 (including 10% GST) per hour
	<i>Explanatory Note: Last Financial Year the fee was \$102.00 (including 10% GST).</i>	
81	Replacing lost title deeds	\$ 105.00 (including 10% GST) per hour
	<i>Explanatory Note: Last Financial Year the fee was \$102.00 (including 10% GST).</i>	
82	Conveyancing fees	\$ 105.00 (including 10% GST) per hour
	<i>Explanatory Note: Last Financial Year the fee was \$102.00 (including 10% GST).</i>	
83	Property inspections	\$ 105.00 (including 10% GST) per hour
	<i>Explanatory Note: Last Financial Year the fee was \$102.00 (including 10% GST).</i>	
84	Home visits	\$ 105.00 (including 10% GST) per hour
	<i>Explanatory Note: Last Financial Year the fee was \$102.00 (including 10% GST).</i>	
85	Storage and Warehousing	\$ 35.00 (including 10% GST) per cubic metre per month
	<i>Explanatory Note: Last Financial Year the fee was \$34.10 (including 10% GST).</i>	

TAXATION SERVICES

86	All taxation services including assessment of tax status, advice and returns	\$ 105.00 (including 10% GST) per hour with a minimum of \$ 60.00 (including 10% GST)
	<i>Explanatory Note: Last Financial Year the Fees were \$102.00 (including 10% GST), with a minimum of \$56.00 (including 10% GST) respectively</i>	

TRUST ADMINISTRATION

87	Administration, as trustee, under Statute, Court award or other instrument	1.10 % of moneys received and/or the standard fee as per the scale chargeable for estate administration, on non monetary assets
	<i>Explanatory Note: Last Financial Year the fee was the same.</i>	
88	Administration fee for continuing trusts	\$ 42.00 (including 10% GST) per annum and upon completion
	<i>Explanatory Note: Last Financial Year the fee was \$41.00 (including 10% GST).</i>	

WILL PREPARATION

89	Preparing wills	Maximum \$ 210.00 (including 10% GST)
	<i>Explanatory Note: Last Financial Year the fee was \$205.00 (including 10% GST).</i>	

Attorney-General: _____

SCHEDULE 2 - FEES AND CHARGES TO BE PAID

Item	Matter in respect of which fee or charge is payable	Amount Payable
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Legislative Authority Adoption Act 1993

90	Fee payable for the purposes of Regulation 24(3)(b) <i>Explanatory Note: Last Financial Year the fee was \$30.00</i>	\$ 32.00
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Legislative Authority Associations Incorporation Act 1991

91	For incorporation of an association and issue of a certificate of incorporation by the Registrar-General under section 19 <i>Explanatory Note: Last Financial Year the fee was \$114.00.</i>	\$ 117.00
92	For amalgamation of 2 or more incorporated associations and issue of a certificate of incorporation by the Registrar-General under section 27 <i>Explanatory Note: Last Financial Year the fee was \$114.00.</i>	\$ 117.00
93	For inspection or search, under section 11, of a register or document kept by the Registrar-General where the register or document is kept in paper form <i>Explanatory Note: Last Financial Year the fee was the same.</i>	\$ 18.00
94	For inspection or search, under section 11, of a register or document kept by the Registrar-General where the register or document is kept in electronic form and a copy of the electronic record is made for the purpose of the search <i>Explanatory Note: Last Financial Year the fee was the same.</i>	\$ 18.00
95	For the issue by the Registrar-General of a document or a copy of a document under section 11 <i>Explanatory Note: Last Financial Year the fee was the same.</i>	\$ 18.00
96	For lodgement of an application for the reservation of a name under section 37 <i>Explanatory Note: Last Financial Year the fee was \$26.00.</i>	\$ 27.00
97	For lodging, under section 59, a notice of appointment of a public officer or for lodging, under section 59, a notice of the change of address of a public officer <i>Explanatory Note: Last Financial Year the fee was same.</i>	Nil
98	For lodging, under section 62, a notice of a person becoming a committee member, or of an office of a committee member becoming vacant or of a member of a committee changing his or her address <i>Explanatory Note: Last Financial Year the fee was same.</i>	Nil
99	For lodgment, under section 59, of a notice of appointment of a public officer or for lodging a notice of the change of address of a public officer more than 1 month after the appointment or change of address (late lodgement) <i>Explanatory Note: Last Financial Year the fee was \$26.00.</i>	\$ 27.00
100	For lodgment, under section 62, of a notice of a person becoming a committee member, or of an office of a committee member becoming vacant or of a member of a committee changing his or her address more than 1 month after the occurrence of those events (late lodgment) <i>Explanatory Note: Last Financial Year the fee was \$26.00.</i>	\$ 27.00
101	For lodgement of an annual return under section 79 <i>Explanatory Note: Last Financial Year the fee was \$26.00.</i>	\$ 27.00
102	For lodgment, under section 79, of an annual return after the period of 6 months beginning at the end of the financial year of the association (late lodgment) <i>Explanatory Note: Last Financial Year the fee was \$52.00.</i>	\$ 53.00
103	For lodgement, under section 33, of a notice of a special resolution to alter the rules of an association <i>Explanatory Note: Last Financial Year the fee was \$26.00.</i>	\$ 27.00

Attorney-General: _____

SCHEDULE 2 - FEES AND CHARGES TO BE PAID

Item	Matter in respect of which fee or charge is payable	Amount Payable
104	For lodgement, under section 33, of a notice of a special resolution to alter the rules of an association more than 1 month after the resolution was passed (late lodgment) <i>Explanatory Note: Last Financial Year the fee was \$52.00.</i>	\$ 53.00
105	For any other approval given or act done by the Registrar-General for the purposes of the Act and for which a fee is not elsewhere provided [paragraph 125(1)(e)] <i>Explanatory Note: Last Financial Year the fee was \$26.00.</i>	\$ 27.00

Legislative Authority Business Names Act 1963

106	For an application for registration of a business name under section 7 <i>Explanatory Note: Last Financial Year the fee was \$114.00.</i>	\$ 120.00						
107	For lodging an application for the consent of the Minister under section 9 (3) for the registration of a business name <i>Explanatory Note: Last Financial Year the fee was \$29.00.</i>	\$ 30.00						
108	For lodging an application for renewal of registration <i>Explanatory Note: Last Financial Year the fee was \$93.00.</i>	\$ 100.00						
109	For lodging with the Registrar-General a statement under section 12, not including statements required by section 12 (1) (b) or 12 (3) <i>Explanatory Note: Last Financial Year the fee was the same.</i>	\$ 6.00						
110	For inspecting a document lodged with the Registrar-General under section 22 <i>Explanatory Note: Last Financial Year the fee was the same.</i>	\$ 6.00						
111	The lodgement, or late lodgement, of a statement with the Registrar-General pursuant to this Act: <table border="0" style="margin-left: 20px;"> <tr> <td style="padding-right: 20px;">(i)</td> <td>if lodged within 1 month after the prescribed time</td> <td style="text-align: right;">\$ 16.00</td> </tr> <tr> <td>(ii)</td> <td>if lodged more than 1 month after the prescribed time</td> <td style="text-align: right;">\$ 36.00</td> </tr> </table> <i>Explanatory Note: Last Financial Year the fees were the same and \$35.00.</i>	(i)	if lodged within 1 month after the prescribed time	\$ 16.00	(ii)	if lodged more than 1 month after the prescribed time	\$ 36.00	
(i)	if lodged within 1 month after the prescribed time	\$ 16.00						
(ii)	if lodged more than 1 month after the prescribed time	\$ 36.00						
112	The production by the Registrar-General of the register, a statement or other document kept by or in the custody of the Registrar-General <i>Explanatory Note: Last Financial Year the fee was the same.</i>	\$ 13.00						
113	The issue by the Registrar-General of a statement or other document or a copy or extract of that statement or document <i>Explanatory Note: Last Financial Year the fee was the same.</i>	\$ 11.00						
114	Any approval given, or other act done, by the Registrar-General for the purposes of this Act for which a fee is not otherwise determined <i>Explanatory Note: Last Financial Year the fee was the same.</i>	\$ 6.00						

Attorney-General: _____

SCHEDULE 2 - FEES AND CHARGES TO BE PAID

Item	Matter in respect of which fee or charge is payable	Amount Payable
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Legislative Authority Births, Deaths and Marriages Registration Act 1997

115	Application to Register Change of Adult's Name section 18 <i>Explanatory Note: Last Financial Year the fee was \$74.00.</i>	\$ 76.00
116	Application to Register Change of Child's Name section 19 <i>Explanatory Note: Last Financial Year the fee was \$42.00.</i>	\$ 76.00
117	Request for Change of Name to be noted in Birth Record section 21 <i>Explanatory Note: Last Financial Year the fee was \$30.00.</i>	\$ 32.00
118	Application to alter Register to Record Change of Sex section 24 <i>Explanatory Note: Last Financial Year the fee was \$30.00.</i>	\$ 32.00
119	Access to the Register section 42 <i>Explanatory Note: Last Financial Year the fee was \$30.00.</i>	\$ 32.00
120	Search of the Register including issue of a Certificate section 43 <i>Explanatory Note: Last Financial Year the fee was \$30.00.</i>	\$ 32.00
121	Search of the Register including issue of a Certificate or extract from, or entry in an index or register or notifying the result of a search by Aboriginal and Torres Strait Islander people affected by separation from their families and communities <i>Explanatory Note: Last Financial Year the fee was the same</i>	Nil

Legislative Authority Instruments Act 1933

122	Registration of: a bill of sale under subsection 9 (1A) or a transfer thereof under subsection 13 (2). a lien under subsections 17 (2) or 25 (2) or a transfer thereof under subsections 21 (2) or 29 (2). a mortgage under subsection 27(2) or a transfer thereof under subsection 29(2) <i>Explanatory Note: Last Financial Year the fees were \$34.00, \$34.00 and \$34.00 respectively.</i>	\$ 35.00 \$ 35.00 \$ 35.00
123	Search any book, index or register kept pursuant to the Act under subsection 36 (1) <i>Explanatory Note: Last Financial Year the fee was the same.</i>	\$ 9.00
124	Office copy or extract of any instrument or document under subsection 36 (2) <i>Explanatory Note: Last Financial Year the fee was the same.</i>	\$11.00

Legislative Authority Land Titles Act 1925

125	issue of duplicate grant under subsection 17(2) <i>Explanatory Note: Last Financial Year the fee was \$78.00.</i>	\$ 80.00
126	issue of certificate of title under subsection 44(1) <i>Explanatory Note: Last Financial Year the fee was \$78.00.</i>	\$ 80.00
127	issue of replacement certificate of title under 62A <i>Explanatory Note: Last Financial Year the fee was \$78.00.</i>	\$ 80.00

Attorney-General: _____

SCHEDULE 2 - FEES AND CHARGES TO BE PAID

Item	Matter in respect of which fee or charge is payable	Amount Payable
128	lodgement of map or plan for purposes of 64 or purposes of Land Titles (Unit Titles) Act 1970 <i>Explanatory Note: Last Financial Year the fee was \$303.00.</i>	\$ 311.00
129	stationery for map or plan under subsection 64 (1A) <i>Explanatory Note: Last Financial Year the fee was the same.</i>	\$ 11.00
130	issue of certified copy of part of the Register under subsection 65(1) <i>Explanatory Note: Last Financial Year the fees were \$18.00 and \$54.00 respectively</i>	\$ 18.00 per page to a max of \$54
131	inspection of Register under subsection 66(1) <i>Explanatory Note: Last Financial Year the fee was the same.</i>	\$ 18.00
132	furnishing a copy, other than a certified copy, of information contained in the Register, under section 67 <i>Explanatory Note: Last Financial Year the fee was the same.</i>	\$ 11.00
133	lodgement of memorandum of transfer under 73 <i>Explanatory Note: Last Financial Year the fee was \$155.00.</i>	\$ 160.00
134	lodgement of lease under section 82 <i>Explanatory Note: Last Financial Year the fee was \$78.00.</i>	\$ 80.00
135	lodgement of memorandum of surrender under subsection 86(1) <i>Explanatory Note: Last Financial Year the fee was \$78.00.</i>	\$ 80.00
136	lodgement of memorandum of variation under section 87C <i>Explanatory Note: Last Financial Year the fee was \$78.00.</i>	\$ 80.00
137	lodgement of sub-lease under section 88 <i>Explanatory Note: Last Financial Year the fee was \$78.00.</i>	\$ 80.00
138	lodgement of memorandum of mortgage under subsection 92(1) <i>Explanatory Note: Last Financial Year the fee was \$78.00.</i>	\$ 80.00
139	lodgement of memorandum of encumbrance under subsection 92(2) <i>Explanatory Note: Last Financial Year the fee was \$78.00.</i>	\$ 80.00
140	lodgement of memorandum of postponement of mortgage under subsection 92A(2) <i>Explanatory Note: Last Financial Year the fee was \$78.00.</i>	\$ 80.00
141	lodgement of discharge of mortgage or encumbrance under section 101 <i>Explanatory Note: Last Financial Year the fee was \$78.00.</i>	\$ 80.00
142	lodgement of memorandum of variation of mortgage under section 101A <i>Explanatory Note: Last Financial Year the fee was \$78.00.</i>	\$ 80.00
143	lodgement of discharge of mortgage by court order under section 103(3) <i>Explanatory Note: Last Financial Year the fee was \$78.00.</i>	\$ 80.00
144	lodgement of memorandum of provisions under section 103A <i>Explanatory Note: Last Financial Year the fee was \$76.00.</i>	\$ 80.00
145	lodgement of memorandum of easement under section 103B <i>Explanatory Note: Last Financial Year the fee was \$78.00.</i>	\$ 80.00
146	lodgement of application of transfer of easement in gross under section 103C <i>Explanatory Note: Last Financial Year the fee was \$78.00.</i>	\$ 80.00
147	lodgement of application for transfer of all easements in gross relating to a specified public utility business under section 103C <i>Explanatory Note: Last Financial Year the fee was \$78.00.</i>	\$ 80.00

Attorney-General: _____

SCHEDULE 2 - FEES AND CHARGES TO BE PAID

Item	Matter in respect of which fee or charge is payable	Amount Payable
148	lodgement of memorandum of extinguishment of easement under section 103E <i>Explanatory Note: Last Financial Year the fee was \$78.00.</i>	\$ 80.00
149	lodgement of memorandum of variation of easement under section 103F <i>Explanatory Note: Last Financial Year the fee was \$78.00.</i>	\$ 80.00
150	lodgement of memorandum of incorporeal right under section 103G <i>Explanatory Note: Last Financial Year the fee was \$78.00.</i>	\$ 80.00
151	lodgement of memorandum of extinguishment of incorporeal right under section 103H <i>Explanatory Note: Last Financial Year the fee was \$78.00.</i>	\$ 80.00
152	lodgement of caveat under section 104A <i>Explanatory Note: Last Financial Year the fee was \$155.00.</i>	\$ 160.00
153	lodgement of application to remove caveat under subsection 107(1) <i>Explanatory Note: Last Financial Year the fee was \$78.00</i>	\$ 80.00
154	lodgement of revocation of power of attorney under section 131 <i>Explanatory Note: Last Financial Year the fee was \$78.00</i>	\$ 80.00
155	lodgement of application to register transmission on bankruptcy or insolvency under section 132 <i>Explanatory Note: Last Financial Year the fee was \$78.00</i>	\$ 80.00
156	lodgement of application to register transmission on death of proprietor under section 135 <i>Explanatory Note: Last Financial Year the fee was \$78.00</i>	\$ 80.00
157	lodgement of declaration by executor under section 138B <i>Explanatory Note: Last Financial Year the fee was \$78.00</i>	\$ 80.00
158	lodgement of application to hold a duplicate of a registered instrument under subsection 164A(1) <i>Explanatory Note: Last Financial Year the fee was the same</i>	\$ 13.00
159	lodging a request for approval for printing of a document bearing a representation of the Registrar-General's seal <i>Explanatory Note: Last Financial Year the fee was \$78.00</i>	\$ 80.00
160	examining a document which has been printed without the Registrar-General's seal <i>Explanatory Note: Last Financial Year the fee was \$78.00</i>	\$ 80.00
161	subject to section 108D, lodging for registration, or entry on the Register, any other document that affects land under the Act <i>Explanatory Note: Last Financial Year the fee was \$78.00</i>	\$ 80.00
162	The determined fee is \$0, in respect of an activity being the lodgement or search of any Plan, Crown Lease, document, dealing or application concerning an area of land designated by the Territory Plan as a Local Centre (Commercial "D") or an area of land adjacent to a Local Centre, where the Chief Executive, Department of Urban Services, has certified that activity elates to a local centre development referred to in the Land referred to in Regulation 13A in the Land (Planning and Environment) Regulations <i>Explanatory Note: Last Financial Year the exemption was the same.</i>	
163	Lodgement of request to register a community title scheme under Section 16(1) Community Title Act 2001 <i>Explanatory Note: Last Financial Year the fee was \$78.00</i>	\$ 80.00
164	Lodgement of Management Statement under Sections 16(2) and 82(3)(b) Community Title Act 2001 <i>Explanatory Note: Last Financial Year the fee was \$78.00</i>	\$ 80.00
165	Lodgement for registration of a Master Plan under Section 16(2) Community Title Act 2001 <i>Explanatory Note: Last Financial Year the fee was \$303.00.</i>	\$ 311.00

Attorney-General: _____

SCHEDULE 2 - FEES AND CHARGES TO BE PAID

Item	Matter in respect of which fee or charge is payable	Amount Payable
166	Lodgement of a request for registration of an amendment of a community title scheme under Section 25 Community Title Act 2001 <i>Explanatory Note: Last Financial Year the fee was \$78.00</i>	\$ 80.00
167	Lodgement for registration of an order of the Supreme Court for amendment of a community plan under Section 27(9) Community Title Act 2001 <i>Explanatory Note: Last Financial Year the fee was \$78.00</i>	\$ 80.00
168	Lodgement for registration of a by-law under Section 50(1) Community Title Act 2001 <i>Explanatory Note: Last Financial Year the fee was \$78.00</i>	\$ 80.00
169	Lodgement of an application for registration of a change of address for service of the body corporate under Section 59(2) Community Title Act 2001 <i>Explanatory Note: Last Financial Year the fee was \$78.00</i>	\$ 80.00
170	Lodgement of notice of the appointment, removal or replacement of an administrator under Section 61(7) Community Title Act 2001 <i>Explanatory Note: Last Financial Year the fee was \$78.00</i>	\$ 80.00
171	Lodgement of a request to record the amalgamation of community title schemes under Section 82(1) Community Title Act 2001 <i>Explanatory Note: Last Financial Year the fee was \$78.00</i>	\$ 80.00
172	Lodgement of a request to record the termination of a community title scheme under Section 90(1) Community Title Act 2001 <i>Explanatory Note: Last Financial Year the fee was \$78.00</i>	\$ 80.00
<i>Legislative Authority Registration of Deeds Act 1957</i>		
173	Registration of a deed under subsection 4 (1) <i>Explanatory Note: Last Financial Year the fee was \$74.00.</i>	\$ 76.00
174	Issue of certified copy of a deed under section 7 <i>Explanatory Note: Last Financial Year the fee was \$18.00 and \$54.00 respectively.</i>	\$ 18.00 per page to a max of \$54

Attorney-General: _____

SCHEDULE 2 - FEES AND CHARGES TO BE PAID

Item	Matter in respect of which fee or charge is payable	Amount Payable
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Legislative Authority *Magistrates Court Act 1930*

PART A: Commencement of Proceedings in a lower court or tribunal

175	On laying an information for an offence (section 26 of the Magistrates Court Act 1930).	\$ 53.00
	<i>Explanatory Note:</i> <i>An information may be laid before a Magistrate under section 26 where a person has committed, or is suspected of having committed, certain offences. Last Financial Year the fee was \$52.00</i>	
176	On institution of proceedings under the Magistrates Court (Civil Jurisdiction) Act 1982:	
	(i) where the amount in dispute is more than \$10,000;	\$ 333.00
	(ii) where the amount in dispute is \$10,000 or less or for a determination under the Common Boundaries Act 1981 or where no amount is in dispute;	\$ 96.00
	(iii) where the amount in dispute is \$2,000 or less or where no amount is in dispute (if under Part XXII of the Act).	\$ 38.00
	<i>Explanatory Note:</i> <i>This item sets the fees for instituting a proceeding before the Magistrates Court (including small claims proceedings commenced under Part XXII of the Magistrates Court (Civil Jurisdiction) Act 1982). Last Financial Year the fees were \$325.00, \$94.00, \$37.00 respectively</i>	
177	On lodging an application for the review of a decision with the Administrative Appeals Tribunal under:	
	(i) section 12 of the Housing Assistance Act 1987;	Nil
	(ii) the Rates and Land Rent (Relief) Act 1970;	Nil
	(iii) 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 (i) or (ii);	Nil
	(iv) the Land (Planning and Environment) Act 1991;	\$ 145.00
	(v) any other enactment other than the review of a decision	\$ 210.00
	<i>Explanatory Note:</i> <i>This item determines the fee payable on the lodging with the Administrative Appeals Tribunal of an application for the review of a decision. Last Financial Year the Fees were Nil, Nil, Nil, \$141.00 and \$205.00 respectively</i>	
178	On lodging of an application with the Credit Tribunal.	\$ 210.00
	<i>Explanatory Note:</i> <i>This item determines the fee payable on the lodging an application with the Credit Tribunal. Last Financial Year the fee was \$205.00.</i>	
179	On lodging an application with the Residential Tenancies Tribunal:	
	(i) where the amount in dispute is more than \$1000 or for a termination and possession order pursuant to Part IV of the Residential Tenancy Act 1997 where a bond has been deposited with the Territory in relation to the tenancy;	\$ 96.00
	(ii) for a termination and possession order pursuant to Part IV of the Residential Tenancy Act 1997 where a bond has not been deposited with the Territory in relation to the tenancy;	\$ 182.00
	(iii) for endorsement of a tenancy agreement by the Tribunal under s10 of the Residential Tenancies Act 1997	Nil
	(iv) where the amount in dispute is \$1000 or less or in any other case.	\$ 48.00
	Where the application involves more than one of the above matters, the fee payable is the higher of the fees.	

Attorney-General: _____

SCHEDULE 2 - FEES AND CHARGES TO BE PAID

Item	Matter in respect of which fee or charge is payable	Amount Payable
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Explanatory Note: *The determination sets out the amount of various fees in the Residential Tenancy Tribunal. The application fee for a termination and possession order is higher in respect of a property where no bond has been provided. As the scheme is funded by interest from bond revenue and the retention of fees, the imposition of a higher fee in respect of such a class partially addresses a funding inequity that might otherwise exist. Note that a fee was not previously set in relation to application for endorsement by the Tribunal under s10 of the Residential Tenancies Act 1997 (see item (iii) above) because the former fee setting power did not extend to applications which did not involve a dispute for the purposes of s73 of that Act. Note that no fee is set by this determination but that if a fee is set in a future year, only one fee would be payable in relation to a series of applications made at the same time and raising the same issue, say, by the lessor and all the tenants in a co-operative for an endorsement. Last Financial Year the fees were \$94.00, \$178.00, Nil, \$47.00 and Nil respectively*

180	On lodging for enforcement a judgment obtained in another court.	\$ 53.00
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Explanatory Note: *Last Financial Year the fee was \$52.00.*

181	On an application for the review of an order, direction or other act of the Registrar of the Magistrates Court other than the review of an order, direction or other act of the Registrar in relation to proceedings under Part XXII of the Magistrates Court (Civil Jurisdiction) Act 1982.	\$ 96.00
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Explanatory Note: *This fee applies when the Magistrates Court, on application from a party to proceedings, reviews an order, direction or other act of the Registrar of that Court. No fee is payable for a review of an order, direction or other act of the Registrar in relation to small claims proceedings under Part XXII of the Magistrates Court (Civil Jurisdiction) Act 1982 or a Tribunal. Last Financial Year the fee was \$94.00.*

182	On filing for taxation a bill of costs as between party and party that, as filed, exceeds \$2,000 (other than under Part XXII of the Magistrates Court (Civil Jurisdiction) Act 1982).	\$ 252.00
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Explanatory Note: *This item determines the fee payable for a party/party taxation. No fee is payable in respect of small claims proceedings under Part XXII of the Magistrates Court (Civil Jurisdiction) Act 1982. Last Financial Year the fee was \$246.00.*

PART B: Cross-claims

183	For a cross-claim or counter-claim under the Magistrates Court (Civil Jurisdiction) Act 1982:	
	(i) where the amount is more than \$10,000;	\$ 333.00
	(ii) where the amount is \$10,000 or less;	\$ 96.00
	(iii) Where the amount in dispute is \$2,000 or less (if under Part XXII of the Act).	\$ 38.00

Explanatory Note: *This item sets the fees for instituting a proceeding before the Magistrates Court (including small claims proceedings commenced under Part XXII of the Magistrates Court (Civil Jurisdiction) Act 1982). Last Financial Year the Fees were \$325.00, \$94.00, \$37.00 respectively*

PART C: Default

184	For the purposes of paragraph 150(1)(a) of the Magistrates Court Act 1930.	\$ 65.00
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Explanatory Note: *Last Financial Year the fee was \$63.00.*

Attorney-General: _____

SCHEDULE 2 - FEES AND CHARGES TO BE PAID

Item	Matter in respect of which fee or charge is payable	Amount Payable
<i>PART D: Certificates, copies, inspections and transcripts</i>		
185	Provision of a document or a copy of a document under subsection 143(1) of the Magistrates Court Act 1930 or paragraphs 144(1)(a), (c) or (d) of the Magistrates Court Act 1930 where the request for the document or copy requires the preparation of the document. <i>Explanatory Note: Last Financial Year the fee was \$27.00.</i>	\$ 28.00
186	Provision of a transcript of proceedings where the request for the transcript requires the preparation of the document. <i>Explanatory Note: The contract price may only be varied in accordance with increases to the consumer price index during the Contract period. It is the responsibility of the Contractor to request price variations. The Contractor must justify all requests for price variations in writing to the Territory. The Territory is not obligated to accept any price variations requested by the Contractor or make any price variation where the Contractor does not submit a request. Last Financial Year the fees were \$10.07, \$9.51, \$8.90, \$8.77 & \$8.29 respectively</i>	\$10.30 same day \$ 9.70 per page next day \$ 9.10 per page 2-3 days \$ 9.00 per page 3-5 days \$ 8.50 per page within 20 days
187	Provision of a copy of a document where a copy or a certified copy can be provided by photocopying another document already in existence and, where necessary, certifying the photocopy: (i) in respect of the application for a copy; (ii) for each page of copy provided. <i>Explanatory Note: This item determines the fees payable for the provision of a copy of a document, where all that is required in order to provide the copy is to photocopy an existing document (eg, such as a transcript, certificate or a certified copy of a judgement or order or a document filed in proceedings). Last Financial Year the Fees were the same</i>	\$ 2.00 \$ 1.00
188	For an inspection under section 495 of the Magistrates Court (Civil Jurisdiction) Act 1982 of: (i) a record of the Magistrates Court that contains particulars of a judgment that has been entered under section 43 of the Magistrates Court (Civil Jurisdiction) Act 1982; (ii) a record of the Magistrates Court that contains particulars of the setting aside of such a judgment under section 221 of the Magistrates Court (Civil Jurisdiction) Act 1982; (iii) a record of the Magistrates Court that contains particulars of a Default Judgment within the meaning of Part XXII of the Magistrates Court (Civil Jurisdiction) Act 1982 or a Restoration Order under section 443 of that Act setting aside such a judgment; or (iv) any other record of the Magistrates Court by a person, not being a party to those proceedings, provided that the Registrar is satisfied that the applicant has a good reason for carrying out such search. <i>Explanatory Note: Any person may inspect a record of the Magistrates Court, including in relation to small claims proceedings under Part XXII of the Magistrates Court (Civil Jurisdiction) Act 1982, containing particulars of judgments entered in default or special claims or where such judgment has been set aside. This item sets the fee for inspection on a per item or hourly basis. Last Financial Year the Fees were \$15.00, \$110.00, \$15.00, \$110.00, \$15.00 & \$110.00 respectively</i>	\$ 15.00 per item or \$ 113.00 per hour of search time carried out by registry staff on behalf of the applicant \$ 15.00 per item or \$ 113.00 per hour of search time carried out by registry staff on behalf of the applicant \$ 15.00 per item or \$ 113.00 per hour of search time carried out by registry staff on behalf of the applicant \$ 15.00 per item or \$ 113.00 per hour of search time carried out by registry staff on behalf of the applicant
189	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. <i>Explanatory Note: Last Financial Year the fee was \$37.00. Note that tapes are 90 minutes long.</i>	\$ 38.00 (per cassette)
190	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.	\$ 48.00 (per tape)

Attorney-General: _____

SCHEDULE 2 - FEES AND CHARGES TO BE PAID

Item	Matter in respect of which fee or charge is payable	Amount Payable
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Explanatory Note: Last Financial Year the fee was \$47.00.

191	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.	\$ 15.00 (per disk) \$ 28.00 (per CD-Rom)
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Explanatory Note: Last Financial Year the Fees were \$15.00 & \$27.00 respectively

192	For each page of copy of a document or documents copied by a person, other than an officer of the Magistrates Court, using a Court photocopier	\$ 0.20
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Explanatory Note: Last Financial Year the fee was the same.

PART E: Service, execution and examinations

193	For serving, and for each attempt to serve, by post, originating process under section 24 of the Magistrates Court (Civil Jurisdiction) Act 1982. (This item does not apply to the service of an application under Part XXII of the Magistrates Court (Civil Jurisdiction) Act 1982.)	\$ 15.00
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Explanatory Note: Under subsection 24(1) of the Magistrates Court (Civil Jurisdiction) Act 1982, a plaintiff in proceedings may apply for postal service of an originating process. The Registrar may serve the process by post on the defendant. This item determines a fee for the purposes of that provision. The fee does not apply to small claims proceedings under Part XXII of the Magistrates Court (Civil Jurisdiction) Act 1982 as section 24 does not apply to proceedings under that Part - see subsection 395(2). Last Financial Year the fee was the same.

194	For up to 3 attempts to serve at the same address, otherwise than by post, an originating process, a summons, a notice or other civil process, whether or not the service is successful. (This item does not apply to the service of an application under Part XXII of the Magistrates Court (Civil Jurisdiction) Act 1982.)	\$ 65.00
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Explanatory Note: Where the Magistrates Court arranges service of an originating process, etc, for a plaintiff, other than by post, the fee set out above is payable for that service. The fee covers up to three attempts at service at the same address. No fee is payable in relation to small claims proceedings under Part XXII of the Magistrates Court (Civil Jurisdiction) Act 1982. Last Financial Year the fee was \$63.00.

195	For up to 3 attempts to execute process at the same address, whether or not the execution is successful:	
	(i) other than the execution of process in relation to proceedings under Part XXII of the Magistrates Court (Civil Jurisdiction) Act 1982;	\$ 215.00
	(ii) in relation to proceedings under Part XXII of the Magistrates Court (Civil Jurisdiction) Act 1982.	\$ 65.00

Explanatory Note: This item relates to the enforcement of the Court's judgements. Section 371 of the Magistrates Court (Civil Jurisdiction) Act 1982 provides for the costs actually incurred in effecting a sale of seized goods and chattels, when executing a warrant of execution, to be deducted from the sale price. The fees in this item relate to the administrative expenses of officers of the Court involved in the execution and are additional to those contemplated by section 371. The fee for execution of process covers up to three attempts at execution at the same address. Last Financial Year the Fees were \$210.00 and \$63.00 respectively

196	Subject to the paragraph below, for the issue of a summons under subsection 187(1) or 444(1) of the Magistrates Court (Civil Jurisdiction) Act 1982, under section 40 of the Administrative Appeals Tribunal Act 1989 or under section 27 or section 43 of the Tenancy Tribunal Act 1994:	
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	(i) to give evidence;	\$ 15.00
	(ii) for production and to give evidence;	\$ 28.00
	(iii) for production.	\$ 28.00

No fee is payable under this item if no fee for filing a document in the proceeding is payable.

Attorney-General: _____

SCHEDULE 2 - FEES AND CHARGES TO BE PAID

Item	Matter in respect of which fee or charge is payable	Amount Payable
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Explanatory Note: *This item relates to the fees for the issue of summonses to give evidence and produce documents or things in proceedings under the Magistrates Court (Civil Jurisdiction) Act 1982. No fee is payable if no fee for the filing of a document in the proceeding is payable. Last Financial Year the fees were \$15.00, \$27.00 & \$27.00, respectively*

197	For the court undertaking the oral examination of a debtor.	\$ 53.00
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Explanatory Note: *Last Financial Year the fee was \$52.00.*

PART F: Miscellaneous

198	No fee 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.	\$ 0.00
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Explanatory Note: *Last Financial Year this exemption was the same.*

199	The Registrar of a court or tribunal 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.	\$ 0.00
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Explanatory Note: *This power remains similar to that in previous determinations. Note that general exemptions from the payment of fees are set out in subsection 248C(2) of the Magistrates Court Act 1930. A copy of subsection 248C(2) is included in the general explanatory notes at the end of this determination.*

200	In relation to an application made to a Tribunal, a single application fee is payable in respect of 2 or more applications which relate to the same applicant (or where one of the applicants is the same) and which, in the opinion of the Registrar, may be conveniently heard together by the Tribunal. Where an application fee in respect of each or some of those applications has been paid, the Registrar may refund all but the first of those application fees.	\$ 0.00
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Explanatory Note: *This provision now applies beneficially to all tribunal applicants.*

Attorney-General: _____

SCHEDULE 2 - FEES AND CHARGES TO BE PAID

Item	Matter in respect of which fee or charge is payable	Amount Payable
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Legislative Authority *Supreme Court Act 1933*

PART A: Proceedings

201	On lodging for filing a document to commence a proceeding in the Court, including an application for probate, other than:	\$ 575.00
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(a)	In respect of a matter referred to in item 202, 203, 204, 205, 206, 207 208; or
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(b)	an interlocutory or incidental proceeding in the course of, or in connection with, a proceeding.
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Explanatory Note: *Last Financial Year the Fees was \$561.00.*

202	On the fixing of a date for the hearing of a proceeding (other than an interlocutory or incidental proceeding):	
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(a)	in a proceeding under the Criminal Injuries Compensation Act 1983;	\$ 96.00
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(b)	in any other proceeding.	\$ 607.00
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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. Where the filing fee in respect of the proceedings has been waived or the person commencing the proceedings is exempt from payments of a filing fee than in respect of a proceeding under the Criminal Injuries Compensation (other Act 1983).

Explanatory Note: *See section 37B of the Supreme Court Act 1933 in relation to waivers, and exemptions. Last Financial Year the Fees were \$94.00 and \$592.00 respectively.*

203	On filing a cross claim or counter claim in any proceeding.	\$ 575.00
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Explanatory Note: *Last Financial Year the fee was \$561.00.*

204	On lodging for filing a document to commence an appeal from the Master or the Registrar in an interlocutory proceeding.	\$ 129.00
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Explanatory Note: *Last Financial Year the fee was \$126.00.*

205	On lodging for filing a document to commence an appeal from the Registrar in a proceeding other than an interlocutory proceeding.	\$ 575.00
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Explanatory Note: *Last Financial Year the fee was \$561.00.*

206	On lodging for taxation a bill of costs as between party and party that, as lodged, exceeds \$2,000.	\$ 252.00
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Explanatory Note: *Last Financial Year the fee was \$246.00.*

207	On lodging:	\$ 257.00
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(a)	an application for admission to practice or for enrolment under the Legal Practitioners Act 1970; or
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(b)	a notice seeking registration in an occupation under the Mutual Recognition Scheme.
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Explanatory Note: *Note that registration in an occupation under the Mutual Recognition Scheme would include registration as a notary public under that scheme. Last Financial Year the Fees were \$251.00.*

208	On lodging for the entry of judgment or consent order under order 42 of the Supreme Court Rules.	\$ 53.00
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Explanatory Note: *Last Financial Year the fee was \$52.00*

209	On making an application for the removal or transfer to the Supreme Court of proceedings commenced in the Magistrates Court. No fee is payable in the Supreme Court where no filing fee was payable for the commencement of the proceedings in the Magistrates Court.	\$ 290.00
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Explanatory Note: *Last Financial Year the fee was \$283.00.*

PART B: Certificates, copies, searches and transcripts

Attorney-General: _____

SCHEDULE 2 - FEES AND CHARGES TO BE PAID

Item	Matter in respect of which fee or charge is payable	Amount Payable
210	For the certification of (or the provision of certified copy of): (a) a judgment, certificate of enrolment or registration; or (b) other documents.	\$ 43.00 \$ 22.00
	<i>Explanatory Note: Last Financial Year the Fees were \$42.00 & \$21.00 respectively</i>	
211	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
	<i>Explanatory Note: Last Financial Year the fee was the same.</i>	
212	For a copy provided in accordance with a request referred to in the previous item.	\$ 1.00 (per page)
	<i>Explanatory Note: Last Financial Year the fee was the same.</i>	
213	For undertaking a registry search (other than by a party to the proceedings to which the search relates).	\$ 22.00
	<i>Explanatory Note: Last Financial Year the fee was \$21.00.</i>	
214	Provision of a transcript of proceedings where the request for the transcript requires the preparation of the document.	\$10.30 same day \$ 9.70 per page next day \$ 9.10 per page 2-3 days \$ 9.00per page 3-5 days \$ 8.50 per page within 20 days
	<i>Explanatory Note: The provision of transcripts is now made through the Magistrates Court Registry. Copies are provided under the following items. Last Financial Year the Fees were - \$10.07, \$9.51, \$8.90, \$8.77 & \$8.29 respectively</i>	
215	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.	\$ 38.00 (per cassette)
	<i>Explanatory Note: Last Financial Year the fee was \$37.00.</i>	
216	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.	\$ 48.00 (per tape)
	<i>Explanatory Note: Last Financial Year the fee was \$47.00.</i>	
217	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. on Floppy Disk on CD Rom	\$ 15.00 (per disk) \$ 28.00 (per CD-Rom)
	<i>Explanatory Note: Last Financial Year the Fees were \$15.00 & \$27.00 respectively</i>	
218	For each page of copy of a document or documents copied by a person, other than an officer of the Supreme Court, using a Court photocopier	\$0.20
	<i>Explanatory Note: Last Financial Year the fee was the same.</i>	

Attorney-General: _____

SCHEDULE 2 - FEES AND CHARGES TO BE PAID

Item	Matter in respect of which fee or charge is payable	Amount Payable
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PART C: Subpoenas, service, and execution

219	For the issue under Order 39 Rule 25 of the Supreme Court Rules of a subpoena in a civil proceeding: <ul style="list-style-type: none"> (a) to give evidence; (b) for production and to give evidence; (c) for production. <p>No fee is payable under this item if no fee for filing a document in relation to the proceeding is payable.</p> <p><i>Explanatory Note: Last Financial Year the Fees were \$27.00, \$52.00, \$52.00, respectively</i></p>	<p>\$ 28.00</p> <p>\$ 53.00</p> <p>\$ 53.00</p>
220	For up to 3 attempts to serve process at the same address, whether or not the service is successful. <i>Explanatory Note: Last Financial Year the fee was \$63.00.</i>	\$ 65.00
221	For up to 3 attempts to execute process at the same address, whether or not the execution is successful. <i>Explanatory Note: Last Financial Year the fee was \$210.00.</i>	\$ 215.00
222	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. <i>Explanatory Note: Last Financial Year the fee was the same.</i>	The amount of the expenses.
223	For non-party production under order 34B of the Supreme Court Rules. <i>Explanatory Note: Last Financial Year the fee was \$28.00.</i>	\$ 29.00

PART D: Exemption and deferrals

224	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. <i>Explanatory Note: See section 37B of the Supreme Court Act 1933 in relation to waivers, and exemptions. This exemption is the same as previously provided</i>	
225	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. <i>Explanatory Note: See section 37B of the Supreme Court Act 1933 in relation to waivers, and exemptions. This deferral is the same as previously provided.</i>	

PART E: Opening the Court

226	For opening the offices of the Court - <ul style="list-style-type: none"> (a) 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; (b) at any time - <ul style="list-style-type: none"> (i) on a Saturday, Sunday or public holiday; or (ii) 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 (b)(i). <p><i>Explanatory Note: Last Financial Year the Fees were \$63.00 and \$131.00 respectively</i></p>	<p>\$ 65.00</p> <p>\$ 134.00</p>
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PART F: Proceedings - Court of Appeal (all incidental fees and charges are the same as those in Part A)

227	On lodging for filing a document to commence a proceeding in the Court of Appeal (this includes an application for leave to appeal and an application for extension of time to appeal - fees are not payable in criminal proceedings)	
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Attorney-General: _____

SCHEDULE 2 - FEES AND CHARGES TO BE PAID

Item	Matter in respect of which fee or charge is payable	Amount Payable
	for a natural person	\$ 1,025.00
	for a corporation	\$ 1,538.00
	<i>Explanatory Note: Last Financial Year Fees were \$1,000.00 & \$1,500.00 respectively.</i>	
228	On the fixing of a date for a hearing in the Court of Appeal (other than interlocutory hearings) - Note: This fee is payable by the appellant	
	for a natural person	\$ 820.00
	for a corporation	\$ 1,0.00
	<i>Explanatory Note: Last Financial Year Fees were \$800.00 & \$1,000.00 respectively</i>	
229	On lodging for taxation a bill of costs as between party and party (any amount)	\$ 769.00
	<i>Explanatory Note: Last Financial Year Fee was \$750.00.</i>	

Attorney-General: _____

SCHEDULE - FEES AND CHARGES TO BE PAID

General Explanatory Notes

A. Overview of increases in fees and charges

Fees have generally been increased by 2.50% and rounded to an appropriate value.

B. Commencement

The Determination comes into effect on 1 July 2003. As the new fees and charges come into effect, earlier determinations of those fees and charges cease to have effect.

C. Fees and charges - exemption, remission, refund or deferral

Magistrate's Court

Subsection 248A(2) of the Magistrates Court Act 1930 provides that a determination may provide for matters such as the exemption from liability to pay certain fees, in whole or in part, and for the remission or refund and the deferral of liability for the payment of fees and charges, in whole or in part, by the Registrar in particular circumstances. Note that subsection 248C(2) provides for a number of exemptions (this is extracted for ease of access):

248C Remission, refund, deferral, waiver and exemption of fees

(2) A determined fee is not payable—

(a) if the person otherwise liable to pay the fee is—

(i) exempt from liability to pay the fee under the determination that determined the fee; or

(ii) exempt from paying the fee under subsection 93 (1) of the *Legal Aid Act 1977*; or

(iii) legally assisted under a scheme or service provided or approved by the Attorney-General; or

(b) if the registrar of the court or tribunal waives payment by a person of the fee in whole or part because the registrar considers that payment of the fee would impose hardship on the person—to the extent of the waiver; or

(c) for the laying of an information—

(i) by the director of public prosecutions acting in the performance of an official function under a Territory law; or

(ii) by a police officer acting in the performance of an official function under a Territory law; or

(iii) for an offence against subsection 255 (1) (which is about contempt in the face of the court).

Supreme Court

Subsection 37(1) of the Supreme Court Act 1933 provides that the Attorney-General may, by notice in writing published in the Gazette, determine fees and charges for any of the following purposes:

(a) proceedings in the Court, and matters incidental to such proceedings, including -

(i) the admission and enrolment of legal practitioners;

(ii) the service and execution of the process of the Court; and

(iii) the taxation of costs by officers of the Court;

(b) facilities and services provided by the Court, including the service and execution of the process of any court of the Commonwealth, a State or another Territory, or of any court of a foreign country;

Attorney-General: _____

SCHEDULE - FEES AND CHARGES TO BE PAID

(c) *the general purposes of the Act, the Regulations or the Rules of Court.*

Subsection 37(2) of the Supreme Court Act 1933 provides that a Determination made under subsection 37(1) may provide for matters such as the exemption from liability to pay certain fees, in whole or in part, and for the remission or refund and the deferral of liability for the payment of fees and charges, in whole or in part, by the Registrar in particular circumstances.

D. GST

With the exceptions noted below, fees and charges imposed in this instrument are to be exempted from GST by the "A New Tax System (Goods and Services Tax) (Exempt Taxes, Fees and Charges) Determination 2000" by the Commonwealth Treasurer under section 81-5 of the "A New Tax System (Goods and Services Tax) Act 1999".

GST is payable in relation to a number of fees for services provided under the Trade Measurement (Administration) Act 1991 where provided in competition or in the course of hiring test equipment. In such cases, the determined fee has been made GST inclusive.

GST is also payable in relation to services provided under the Public Trustee Act 1985. Where the fee specified in items 63 – 88 is calculated based on a percentage contained in this determination, the resulting fee will be GST inclusive.

Attorney-General: _____