

Attorney General (Fees) Amendment Determination 2009 (No 4)

Disallowable instrument DI2009- 218

made under the

Agents Act 2003, s 176 (Determination of fees)
Associations Incorporation Act 1991, s 125 (Determination of fees)
Births, Deaths and Marriages Registration Act 1997, s 67 (Determination of fees)
Business Names Act 1963, s 32 (Determination of fees)
Civil Law (Wrongs) Act 2002, s 222A (Determination of fees)
Civil Partnerships Act 2008, s 18 (Determination of fees)
Classification (Publications, Films And Computer Games) (Enforcement) Act 1995, s 67 (Determination of fees)
Consumer Credit (Administration) Act 1996, s 140 (Determination of fees)
Cooperatives Act 2002, s 465 (Determination of fees)
Court Procedures Act 2004, s 13 (Determination of fees)
Dangerous Substances Act 2004, s 221 (Determination of fees)
Emergencies Act 2004, s 201 (Determination of fees)
Guardianship and Management of Property Act 1991, s 75 (Determination of fees)
Hawkers Act 2003, s 45 (Determination of fees)
Instruments Act 1933, s 37 (Determination of fees)
Land Titles Act 1925, s 139 (Determination of fees, charges and other amounts)
Liquor Act 1975, s 179 (Determination of fees)
Machinery Act 1949, s 5 (Determination of fees)
Partnership Act 1963, s 99 (Determination of fees)
Pawnbrokers Act 1902, s 27 (Determination of fees and charges)
Prostitution Act 1992, s 29 (Determination of fees)
Public Trustee Act 1985, s 75 (Determination of fees and charges)
Registration of Deeds Act 1957, s 8 (Determination of fees)
Sale of Motor Vehicles Act 1977, s 91 (Determination of fees and charges)
Scaffolding and Lifts Act 1912, s 21 (Determination of fees)
Second-hand Dealers Act 1906, s 17 (Determination of fees and charges)
Security Industry Act 2003, s 50 (Determination of fees)
Trade Measurement (Administration) Act 1991, s 12 (Determination of fees)
Workers Compensation Act 1951, s 221 (Determination of fees)
Work Safety Act 2008, s 228 (Determination of fees)

1 Name of instrument

This instrument is the Attorney General (Fees) Amendment Determination 2009 (No 4).

2 Commencement

This instrument takes effect on the day after notification.

3 Amendments

This instrument amends the Attorney General (Fees) Determination 2009 (DI2009-116) by:

- (a) Insert new clause 5(5):
- (5) The fee for a matter stated in an item in schedule 2, column 2 is payable by the person requesting the service.
- (b) Amend schedule 1 to insert at the bottom of the table:

Act	Item(s) in Schedule 2
Hawkers Act 2003	357-364

- (c) Amend schedule 2 to insert at the bottom of the table:

Legislative Authority: Hawkers Act 2003

357	Grant of Hawkets Licence where licensee is not using a vehicle. <i>Explanatory Note: Last Financial Year the fee was \$17.55.</i>	\$ 18.00 per month
358	Grant of Hawkets Licence where licensee will be using a vehicle/s with Gross Vehicle Mass of less than 2 tonnes. <i>Explanatory Note: Last Financial Year the fee was \$69.25.</i>	\$71.00 per vehicle per month
359	Grant of a Hawkets Licence where licensee will be using a vehicle/s with Gross Vehicle Mass of 2 tonnes or more. <i>Explanatory Note: Last Financial Year the fee was \$103.35.</i>	\$106.00 per vehicle per month
360	Grant of Hawkets Licence to hawk in a location. <i>Explanatory Note: Last Financial Year the fee was \$39.70.</i>	\$41.00 per location
361	Amendment of Hawkets Licence. <i>Explanatory Note: Last Financial Year the fee was \$39.70.</i>	\$41.00
362	Grant of exemption to hawk near commercial premises. <i>Explanatory Note: Last Financial Year the fee was \$39.70.</i>	\$41.00
363	Amendment of Exemption to hawk near commercial premises. <i>Explanatory Note: Last Financial Year the fee was \$39.70.</i>	\$41.00
364	Replacement of Licence or Exemption. <i>Explanatory Note: Last Financial Year the fee was \$11.65.</i>	\$12.00

- (d) Amend schedule 2, item 187 by omitting 'BLANK' and inserting:

187	Provision of a transcript of proceedings where the request for the transcript requires the preparation of the document. <i>Explanatory Note: This fee was last included in DI 2007-131, and has been reintroduced in accordance with the requirements of sections 314-7 of the <u>Magistrates Court Act 1930</u>. In the 2007 financial year, the fees were \$30.00, \$11.60, \$10.80, \$10.00, \$9.90 and \$9.40 respectively. The fees have been indexed according to a consumer price index of 3.5% in 2008, and 1.75% in 2009. 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</i>	\$ 31.60 minimum fee plus: \$ 12.20 same day \$ 11.40 per page next day \$ 10.50 per page 2-3 days \$ 10.40 per page 3-5 days \$ 9.90 per page within 20 days
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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.

(e) Amend schedule 2, item 214 by omitting 'BLANK' and inserting:

214	Provision of a transcript of proceedings where the request for the transcript requires the preparation of the document.	\$ 31.60 minimum fee plus: \$ 12.20 same day \$ 11.40 per page next day \$ 10.50 per page 2-3 days \$ 10.40 per page 3-5 days \$ 9.90 per page within 20 days
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Explanatory Note: This fee was last included in DI 2007-131, and has been reintroduced in accordance with the requirements of section 74A of the Supreme Court Act 1933. In the 2007 financial year, the fees were \$30.00, \$11.60, \$10.80, \$10.00, \$9.90 and \$9.40 respectively. The fees have been indexed according to a consumer price index of 3.5% in 2008, and 1.75% in 2009.

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.

(f) Amend schedule 2 by inserting new item 178.14.1:

178.14.1	Provision of a transcript of proceedings where the request for the transcript requires the preparation of the document.	\$ 31.60 minimum fee plus: \$ 12.20 same day \$ 11.40 per page next day \$ 10.50 per page 2-3 days \$ 10.40 per page 3-5 days \$ 9.90 per page within 20 days
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Explanatory Note: A similar fee for the Magistrates Court and Supreme Court was last included in DI 2007-131, and has now been reintroduced (refer items 187 and 214 for further information). In the 2007 financial year, the fees were \$30.00, \$11.60, \$10.80, \$10.00, \$9.90 and \$9.40 respectively. The fees have been indexed according to a consumer price index of 3.5% in 2008, and 1.75% in 2009.

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.

(g) Amend Schedule 2 - General Explanatory Notes: A. Overview of Increases in Fees and Charges:

after 'Fees have generally been increased by a Wage Price Index of 3.5% and rounded to an appropriate value', add 'except for items 187, 214 and 178.14.1 where a Consumer Price Index increase of 1.75% has been applied'.

4 Revocation

Hawkers (Fees) Determination 2008 (No 1) (DI2008-157) is revoked.

5 **Republication**

The Parliamentary Counsel is authorised to reprint DI2009-116 together with this amendment.

Simon Corbell MLA
Attorney General

12 October 2009