

1991

AUSTRALIAN CAPITAL TERRITORY LEGISLATIVE ASSEMBLY

Magistrates Court (Civil Jurisdiction) Act 1982

Magistrates Court (Civil Jurisdiction) (Fees) Regulations (Amendment)

EXPLANATORY MEMORANDUM

Circulated by authority of

TERRY CONNOLLY

ATTORNEY-GENERAL

EXPLANATORY MEMORANDUM

MAGISTRATES COURT (CIVIL JURISDICTION) (FEES) REGULATIONS (AMENDMENT)

Section 308 of the *Magistrates Court (Civil Jurisdiction) Act 1982* provides that the Executive may make Regulations not inconsistent with the Act.

The Magistrates Court (Civil Jurisdiction) (Fees) Regulations provide for the fees prescribed under the Act. The Schedule to the Regulations specify the fees prescribed by the Regulations.

The proposed Regulations amend the Schedule to the Regulations in order to increase the fees specified in the Schedule.

Details of the proposed Regulations are set out below.

Clause 1 provides for the commencement of the Regulations

Clause 2 amends the Schedule to the Regulations.

Subclause 2(a) omits item 1 and substitutes a new item 1 which provides a fee of \$55.00 for the filing with the Court of an application under section 20 of the Act (where there is no amount in dispute) or where the amount in dispute does not exceed \$10,000, and for a fee of \$220.00 for the filing of an originating process where the amount in dispute exceeds \$10,000. The effect of the amendment is to increase the fees for the filing of an originating process.

Subclauses 2(b) to (f) omit the figures in items 2, 3, 4, 5, 6 and 7 respectively and substitute new figures. The effect of the amendment is to increase the fees charged under those items.