

**THE LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**MAGISTRATES COURT (REFUND OF FEES)  
AMENDMENT BILL 2002**

**EXPLANATORY MEMORANDUM**

**Circulated by authority of  
Kerrie Tucker MLA**

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**Outline**

This Bill allows for the refund of fees for lodging an application with the Administrative Appeals Tribunal for the review of a decision, where the appeal ends in the applicant's favour.

The Bill amends the *Magistrates Court Act 1930* as Part 13A of this Act sets out the provisions for payment of court and tribunal fees, including those for the Administrative Appeals Tribunal.

**Clauses**

**Clauses 1, 2 and 3**

are formal requirements which set out the name of the Act, commencement provisions and the name of the Act amended.

**Clause 4**

Inserts new subsections (3) to (5) into section 248C relating to remission, refund, deferral, waiver and exemption of fees.

**Section 248C(3)** requires that a fee for an application for review of a decision by the Administrative Appeals Tribunal must be refunded by the Registrar of the Tribunal if the application ends in the applicant's favour. Some examples are provided of when an application is regarded to end in the applicant's favour.

**Sections 248C(4) and (5)** are transitional provisions to ensure that subsection (3) applies to all applications that are decided after the Act commences, regardless of when the application was lodged.