

# Court Procedures (Fees) Determination 2013

## Disallowable instrument DI2013-107

made under the

**Court Procedures Act 2004, s 13 (Determination of fees)**

## EXPLANATORY STATEMENT

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The Minister has power to determine fees for the purposes of this Act.

Fees in the 2013-14 Financial Year have been generally increased from fees in the previous Financial Year by a Wage Price Index (WPI) forecast of 3% and rounded to an appropriate value. A number of existing court fees have been increased beyond WPI and a number of new court fees have been introduced, which are designed to ensure efficient use of court resources and to reflect the true cost of providing the services.

While determining fees under the Act, the purpose of this determination is to give better access to users. The fees for the 2013-14 Financial Year were originally set by an omnibus instrument (DI 2012-110). That instrument has been replaced to provide users with better access to fee information within the structure of the legislation register. Item numbers, included in the schedule, column 2, enable the comparison of past fees set under the Act with those set by this instrument.

Section 15 of the *Court Procedures Act 2004* provides that a determined fee may be remitted or refunded, or liability for its payment deferred, in accordance with the determination that determined the fee. In addition, this section provides for a number of exemptions from paying the determined fee.

In this instrument, corporation includes a body corporate or corporate (*Legislation Act 2001*, definition of 'corporation', dictionary, part 1). This includes companies, incorporated associations, owner corporations under the *Unit Titles Act 2011*, authorities incorporated by statute, corporations sole incorporated by statute, cooperatives etc. However, for items 1000 – 1317, 'corporation' does not include a corporation which:

- (a) is incorporated as a not for profit corporation; or
- (b) had a turnover of less than \$200,000 in the previous financial year,

but both of these are treated as individuals for these items.

The instrument contains further explanatory notes about the fee for various items in the past Financial Year.