

# Court Procedures (Fees) Determination 2016 (No 3)

## Disallowable instrument DI2016–294

made under the

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

## EXPLANATORY STATEMENT

---

Section 13 of the Court Procedures Act provides that the Minister has the power to determine fees for the purposes of this Act.

The purpose of this determination is to reflect the *ACT Civil and Administrative Tribunal Act 2008* increased jurisdiction in civil disputes, which take effect on 15 December 2016. From 15 December 2016, the ACT Civil and Administrative Tribunal's (ACAT's) jurisdiction in civil disputes will increase from \$10,000 to \$25,000. This also means that the jurisdiction of the Magistrates Court in civil matters has changed to those above \$25,000.

The ACAT fee structure for instituting proceedings and for filing counter-claims and cross-claims applies different fees for different levels of claim. Prior to the increase in jurisdiction, three different levels of fees applied, for claims where the amount in dispute is less than \$2,000, claims where the amount in dispute is greater than \$2,000 but less than \$10,000, and claims where the amount in dispute is greater than \$10,000. In this determination, these categories are amended to differentiate between claims where the amount in dispute is less than \$2,000, claims where the amount in dispute is greater than \$2,000 but no greater than \$25,000, and claims where the amount in dispute is greater than \$25,000.

Item 1107 (c) has also been amended to reflect the increase in the lower limit of claims that can be heard in the Magistrates Court. The fee amounts are unchanged.