

## Regulations 1977 No. 6

### Rules under the *Court of Petty Sessions Ordinance 1930*.\*

I, ROBERT JAMES ELLICOTT, the Attorney-General of the Commonwealth of Australia, hereby make the following Rules under the *Court of Petty Sessions Ordinance 1930*.

Dated this thirtieth day of March 1977.

R. ELLICOTT  
Attorney-General.

#### AMENDMENT OF THE COURT OF PETTY SESSIONS (SOLICITORS' COSTS) RULES†

1. (1) The Court of Petty Sessions (Solicitors' Costs) Rules, as amended by these Rules, apply to and in relation to complaints filed on or after 28 March 1977. Application of amendment.

(2) Notwithstanding the amendment effected by these Rules, the Court of Petty Sessions (Solicitors' Costs) Rules, as in force immediately before the commencement of these Rules, continue to apply to and in relation to complaints filed before 28 March 1977.

2. The Schedule to the Court of Petty Sessions (Solicitors' Costs) Rules is repealed and the following Schedule substituted:— The Schedule.

#### THE SCHEDULE SCALE OF SOLICITORS' COSTS

Item No.	Matter	Where subject matter does not exceed \$500	Where subject matter exceeds \$500 but does not exceed \$1,000	Where subject matter exceeds \$1,000
		\$	\$	\$
1.	Letter before action .. .. .	2.50	2.50	3.75
2.	Preparing and filing complaint, including instructions to sue .. .. .	15.00	25.00	30.00
3.	Request for particulars .. .. .	3.75	3.75	5.00
4.	Preparing further particulars where they are required	5.00	7.50	10.00
5.	Notice to produce or admit and any other necessary or proper notice not otherwise provided for, including copies and service for each notice .. .. .	2.50	5.00	7.50
6.	Summons for witness, including attending to issue ..	5.00	7.50	10.00
7.	Preparing, filing and serving notice of intention to defend .. .. .	2.50	2.50	5.00

\* Notified in the *Australian Government Gazette* on 31 March 1977.

† For reference to the original Rules and amendments made before 1960 see footnote on p. 258 of Vol. III of "Laws of the Australian Capital Territory 1911-1959". For later amendments see Regulations 1965, No. 10; and 1969, No. 5.

THE SCHEDULE—continued  
SCALE OF SOLICITORS' COSTS

Item No.	Matter	Where subject matter does not exceed \$500	Where subject matter exceeds \$500 but does not exceed \$1,000	Where subject matter exceeds \$1,000
		\$	\$	\$
8.	Preparing defence to a default summons or notice of special defence to an ordinary summons, including filing and serving defence .. .. .	15.00	25.00	30.00
9.	Preparing case for complainant or defendant .. .. .	37.50	75.00	150.00
10.	Attending Court and conducting case or motion, if not contested—			
	(a) if the hearing does not last more than three hours, per hour .. .. .	10.00	15.00	20.00
	(b) if the hearing exceeds three hours—			
	(i) for each of the first three hours .. .. .	10.00	15.00	20.00
	(ii) for each hour after the first three hours .. .. .	7.50	15.00	15.00
11.	Attending Court and conducting case or motion, if contested—			
	(a) if the hearing does not last more than three hours, per hour .. .. .	15.00	20.00	25.00
	(b) if the hearing exceeds three hours—			
	(i) for each of the first three hours .. .. .	15.00	20.00	25.00
	(ii) for each hour after the first three hours .. .. .	7.50	15.00	15.00
12.	Attending to hear judgment if not contested .. .. .	12.50	25.00	25.00
13.	Arranging settlement of action settled out of Court, including, in an appropriate case, attending Court to obtain approval of the Court to settlement .. .. .	12.50	25.00	25.00
14.	Attending Court to hear reserved judgment .. .. .	7.50	10.00	15.00
15.	Costs (to be included in amount of costs endorsed on Warrant) of obtaining a Warrant of Execution, including documents and attendances .. .. .	5.00	10.00	15.00
16.	Examination of judgment debtor as to debts owing to him and as to his property, including application for summons and preparing necessary documents .. .. .	7.50	15.00	20.00
17.	Application for order under section 171 of the Ordinance for attachment of debt including necessary notices and documents and obtaining Warrants .. .. .	10.00	20.00	25.00
18.	Application to the Court for order under Division 5 of Part IX of the Ordinance, including all necessary documents preparation of case and attendance at Court .. .. .	15.00	25.00	30.00
19.	Preparing and making any application to a Magistrate or Clerk not otherwise provided for, including copies of documents, filing and service .. .. .	7.50	15.00	25.00