

South Australia

Fees Regulation Act 1927

An Act to empower the Governor to vary by regulation the fees and other payments in the nature of fees payable under certain Acts of Parliament, and for other purposes.

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Legislative history

The Parliament of South Australia enacts as follows:

1—Short title

This Act may be cited as the *Fees Regulation Act 1927*.

2—Interpretation

In this Act—

fees includes fees, costs, or charges payable to any person whomsoever whether as representing the Crown or otherwise for or in consideration of the doing of any work or any act or thing, including the grant of any licence, permit, or other privilege or the registration of any person, premises, or chattel, but does not include any fees, costs, or charges payable in respect of proceedings in any court of law.

3—Power to vary certain fees

- (1) In any case where any Act whether passed before or after the commencement of this Act prescribes any fees but makes no provision for varying such fees, the Governor may from time to time by regulation under this Act vary such fees, and the fees so varied shall for the time being be deemed the fees prescribed by such first-mentioned Act. For the purposes of this section an Act shall not be deemed to make provision for varying any fees by reason only of the fact that the amounts of such fees are computed on the basis of an assessment of the value or annual value of any lands which assessment is liable to be altered.

- (2) Where any Act whether passed before or after the commencement of this Act provides that fees under such Act are to be such as are prescribed by regulation, but not exceeding a maximum amount specified in such Act, such fees may be prescribed by regulation under this Act, and may exceed the said maximum, and the fees as so prescribed shall be deemed to be the fees prescribed under such first-mentioned Act.
- (3) Any regulation under this section may apply to any one or more of such Acts as mentioned in the preceding subsections of this section, and may vary the amounts of all or any of such fees for the time being in force either by fixing other definite amounts in lieu thereof or by increasing or decreasing all or any of such fees by a percentage stated in the said regulation.

4—Power to make regulations respecting fees for certain services

In any case where in pursuance of any Act whenever passed or otherwise in the course of public administration it is the duty or practice of any Minister or other person in the employment of the Crown to do any of the following things, namely:

- (a) register or enrol any premises, goods, chattels, document, name, particulars, brand, mark, device, or other thing, or make any entry in any public plan or record; or
- (b) grant or issue any exemption, licence, permission, permit, or other authority to do any act; or
- (c) inspect any premises, structure, work, or other place or thing; or
- (d) test any standard, weight, or other article; or
- (e) check any plan or document; or
- (f) perform any other service or act for, on behalf of or at the request of any person or body,

and no Act, regulation, rule, or by-law provides for making any charge in respect of the doing of such thing, the Governor may from time to time by regulation under this Act fix fees or charges to be paid to the Crown in respect of the doing of such thing.

5—Time of coming into operation of regulations under this Act

- (1) Any regulation under this Act shall come into effect at the following time, namely:
 - (a) if no notice of a motion to disallow the regulation has been given in either House of Parliament within fourteen sitting days after the regulation was laid before such House of Parliament the regulation shall take effect upon the expiration of the time when it has lain before both Houses of Parliament for fourteen sitting days;
 - (b) if any notice of motion to disallow the regulation has been given as aforesaid the regulation shall come into effect if and when such motion or all of such motions if more than one notice has been given is or are negatived.
- (2) Subject to this section the provisions of the *Acts Interpretation Act 1915* relating to regulations shall apply to regulations made under this Act.

Legislative history

Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Repeal of Act

The *Fees Regulation Act 1927* was repealed by Sch 1 of the *Legislation (Fees) Act 2019* on 1.7.2020.

Principal Act

Year	No	Title	Assent	Commencement
1927	1801	<i>Fees Regulation Act 1927</i>	16.11.1927	16.11.1927