

South Australia

Environment, Resources and Development Court (Native Title) Variation Regulations 2004

under the *Environment, Resources and Development Court Act 1993*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Environment, Resources and Development Court (Native Title) Variation Regulations 2004*.

2—Commencement

These regulations will come into operation on 1 July 2004.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Environment, Resources and Development Court (Native Title) Regulations 1995*

4—Substitution of Schedule

Schedule—delete the Schedule and substitute:

Schedule—Fees

1—Applications or notices commencing proceedings

On filing or lodging an application or initiating an appeal commencing proceedings involving a native title question other than a request for mediation \$393

Examples—

- an application for registration of a claim to native title in land
- an application for a native title declaration
- an application for variation or revocation of a native title declaration
- an application for a summary determination authorising mining operations on native title land (including under the expedited procedure)
- an appeal against a decision of the Minister to prohibit registration of a native title mining agreement
- an application for a determination of the Court made under an Act authorising a person to enter native title land and carry out operations on the land or to acquire native title land
- an application for review of compensation provisions of determination following native title declaration

2—Other applications

On filing or lodging any other application in proceedings involving a native title question \$27.25

3—Inspection and copies of evidentiary material

- (a) for each request to inspect material under section 47(1) of the Act \$9.50
- (b) for a copy of a transcript of evidence, documentary material admitted into evidence, or a decision or order of the Court supplied under section 47(3) of the Act
- per A4 page (or smaller) \$5

- per page that is greater in size than A4 \$5 or the actual cost of copying (whichever is the greater)
- (c) for a copy of any other document for which a fee has not been charged under paragraph (b) \$2.20 per page

Note—

A party to proceedings is entitled to 1 copy of any decision or order given or made by the Court without charge.

4—Opening Registry after hours

- For opening a Registry, or a Registry remaining open, after hours for urgent execution of process \$71 per hour or part of an hour

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 27 May 2004

No 54 of 2004

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