

South Australia

Magistrates Court (Fees) Variation Regulations 2009

under the *Magistrates Court Act 1991*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Magistrates Court (Fees) Variation Regulations 2009*.

2—Commencement

These regulations will come into operation on 1 July 2009.

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 *Magistrates Court (Fees) Regulations 2004*

4—Substitution of Schedules 1 and 2

Schedules 1 and 2—delete the Schedules and substitute:

Schedule 1—Fees in Civil (General Claims) Division and Civil (Minor Claims) Division

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|---|--|----------|
| 1 | For issuing a <i>Final Notice of Claim</i> under the rules | \$17.00 |
| 2 | On commencement of minor civil action | \$116.00 |
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Magistrates Court (Fees) Variation Regulations 2009
 Part 2—Variation of *Magistrates Court (Fees) Regulations 2004*

3	On lodging a counterclaim or a third party notice in a minor civil action	\$116.00
4	On commencement of any other action under <i>Magistrates Court Act 1991</i>	\$219.00
5	On lodging a counterclaim or a third party notice in any other action under <i>Magistrates Court Act 1991</i>	\$219.00
6	For issuing and administering an investigation or examination summons under <i>Magistrates Court Act 1991</i>	\$44.50
7	On commencement of action under any other Act or issuing a summons on such action	\$116.00
8	On lodging a counterclaim or a third party notice in any action under any other Act	\$116.00
9	For publishing advertisement	actual costs reasonably incurred
10	For each request to search and inspect a record of the Court	\$16.40
11	For copy of evidence	\$6.40 per page
12	For copy of reasons for judgment (One copy will be supplied to a party to the proceedings free of charge.)	\$6.40 per page
13	For copy of any other document	\$4.00 per page
14	For computer disc containing record of court proceedings (including reasons for judgment)	The fee that would be payable under these regulations for a printed copy of the record of the proceedings plus \$102.00 for each day or part of a day on which the proceedings were recorded
15	For production of transcript at request of a party where the Court does not require the transcript	\$12.90 per page
16	Taxation of costs: on lodging a bill of costs (other than in a minor civil action)	\$60.00
17	For opening Registry (or Registry remaining open) after hours for urgent execution of process	\$308.00 per hour or part of an hour
18	For opening Court (or Court remaining open) after hours for urgent hearing	\$925.00 per hour or part of an hour

Schedule 2—Fees in Criminal Division

1	On commencement of proceedings for summary applications, summary offences, minor indictable offences or indictable offences	\$177.00 plus if the complaint or information alleges more than 1 offence—\$39.25
2	For making an enforcement order under the <i>Expiation of Offences Act 1996</i>	\$177.00
3	For issuing a warrant of commitment	\$42.50

4	For copy of evidence	\$6.40 per page
5	For copy of reasons for judgment (One copy will be supplied to a party to the proceedings free of charge.)	\$6.40 per page
6	For copy of any other document	\$4.00 per page
7	For computer disc containing record of court proceedings (including reasons for judgment)	The fee that would be payable under these regulations for a printed copy of the record of the proceedings plus \$102.00 for each day or part of a day on which the proceedings were recorded
8	For production of transcript at request of a party where the Court does not require the transcript	\$12.90 per page
9	For each request to search and inspect a record of the Court	\$16.40

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 4 June 2009

No 103 of 2009

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