

South Australia

## **Magistrates Court (Fees) Variation Regulations 2016**

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 2016*.

#### **2—Commencement**

- (1) Subject to subregulation (2), these regulations will come into operation on 1 July 2016.
- (2) Part 3 of these regulations will come into operation on 1 September 2016.

#### **3—Variation provisions**

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

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## Part 2—Variation of *Magistrates Court (Fees) Regulations 2004* to take effect on 1 July 2016

### 4—Substitution of Schedules 1 to 3

Schedules 1, 2 and 3—delete the Schedules and substitute:

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

1	For issuing a <i>Final Notice of Claim</i> under the rules	\$20.60
2	On commencement of minor civil action	\$140.00
3	On lodging a counterclaim or a third party notice in a minor civil action	\$140.00
4	On commencement of any other action under the <i>Magistrates Court Act 1991</i> —	
	(a) in the case of a prescribed corporation	\$515.00
	(b) in any other case	\$304.00
5	On lodging a counterclaim or a third party notice in any other action under the <i>Magistrates Court Act 1991</i> —	
	(a) in the case of a prescribed corporation	\$515.00
	(b) in any other case	\$304.00
6	For issuing and administering an investigation or examination summons under the <i>Magistrates Court Act 1991</i>	\$53.50
7	On commencement of action under any other Act or issuing a summons on such action	\$140.00
8	On lodging a counterclaim or a third party notice in any action under any other Act	\$140.00
9	For publishing an advertisement	actual costs reasonably incurred
10	For each request to search and inspect a record of the Court	\$23.10
11	For copy of evidence—per page	\$7.75
12	For copy of reasons for judgment—per page	\$7.75
	<b>Note—</b>	
	1 copy will be supplied to a party to the proceedings free of charge.	
13	For copy of any other document—per page	\$4.70
14	For production of transcript at request of a party where the Court does not require the transcript—per page	\$15.70
15	Adjudication of costs: on lodging a bill of costs (other than in a minor civil action)	\$72.50

16	For opening Registry (or Registry remaining open) after hours for urgent execution of process—for each hour or part of an hour	\$372.00
17	For opening Court (or Court remaining open) after hours for urgent hearing—for each hour or part of an hour	\$1 119.00

### **Schedule 2—Fees in Criminal Division**

1	On commencement of proceedings for summary applications, summary offences, minor indictable offences or indictable offences	\$260.00 plus if the complaint or information alleges more than 1 offence—\$47.50
2	For issuing a warrant of commitment	\$51.50
3	For copy of evidence—per page	\$7.75
4	For copy of reasons for judgment—per page  (1 copy will be supplied to a party to the proceedings free of charge.)	\$7.75
5	For copy of any other document—per page	\$4.70
6	For production of transcript at request of a party where the Court does not require the transcript—per page	\$15.70
7	For each request to search and inspect a record of the Court	\$23.10

### **Schedule 3—Fees in Petty Sessions Division**

1	On lodging an appeal against an enforcement determination under section 14 of the <i>Expiation of Offences Act 1996</i>	\$53.50
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## **Part 3—Variation of *Magistrates Court (Fees) Regulations 2004* to take effect on 1 September 2016**

### **5—Variation of Schedule 1—Fees in Civil (General Claims) Division and Civil (Minor Claims) Division**

Schedule 1, table, item 11—delete the entry relating to item 11 and substitute:

11	For copy of evidence—	
	(a) per page in electronic form	\$7.75
	(b) per page in hard-copy form	\$10.00

### **6—Variation of Schedule 2—Fees in Criminal Division**

Schedule 2, table, item 3—delete the entry relating to item 3 and substitute:

3	For copy of evidence—	
	(a) per page in electronic form	\$7.75
	(b) per page in hard-copy form	\$10.00

**Magistrates Court (Fees) Variation Regulations 2016**

Part 3—Variation of *Magistrates Court (Fees) Regulations 2004* to take effect on 1 September 2016

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**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 23 June 2016

No 151 of 2016

T&F16/026CS