

South Australia

Supreme Court (Fees) Variation Regulations 2016

under the *Supreme Court Act 1935*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Supreme Court (Fees) Variation Regulations 2016*.

2—Commencement

These regulations will come into operation on 4 December 2016.

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 *Supreme Court Regulations 2005*

4—Variation of Schedule 1—Fees in general division

- (1) Schedule 1, table, item 2—delete "by which a proceeding in the court is commenced" and substitute:

to commence a proceeding in the Supreme Court

- (2) Schedule 1, table—after item 3 insert:

3A On transferring an action commenced in another court to the Supreme Court

- (a) in the case of a prescribed corporation \$3 414.00 less the file commencement fees already paid in respect of the action in the other court

- | | |
|---------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|
| (b) in any other case | \$2 419.00 less the file commencement fees already paid in respect of the action in the other court |
|
(3) Schedule 1, table—after item 5 insert: | |
| 5A On transferring a counterclaim or third party action commenced in another court to the Supreme Court | |
| (a) in the case of a prescribed corporation | \$3 414.00 less the counterclaim or third party action fees already paid in respect of the action in the other court |
| (b) in any other case | \$2 419.00 less the counterclaim or third party action fees already paid in respect of the action in the other court |

5—Variation of Schedule 2—Fees in probate jurisdiction

- (1) Schedule 2, table—delete items 2 to 8 (inclusive)
- (2) Schedule 2, table—delete items 15 to 17 (inclusive)
- (3) Schedule 2, table—delete items 20 to 24 (inclusive)

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 1 December 2016

No 270 of 2016

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