

South Australia

District Court (Fees) (Listing Fee) Variation Regulations 2017

under the *District Court Act 1991*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *District Court (Fees) (Listing Fee) Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on 1 October 2017.

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 *District Court (Fees) Regulations 2004*

4—Variation of regulation 4—Fees

Regulation 4—after subregulation (1) insert:

- (1a) The following provisions apply to the listing fees set out in clause 7A of Schedule 1:
 - (a) except where the Court or a registrar directs otherwise, the fee—
 - (i) is payable by the plaintiff; and
 - (ii) must be paid within the period of 14 days before the date fixed for trial;

- (b) the trial will not proceed on the day fixed for that purpose unless the fee has been paid in accordance with paragraph (a).
- (1b) The following provisions apply to the trial fees set out in clause 16 of Schedule 1:
 - (a) the fee for a trial is the fee prescribed under clause 16 of the Schedule as in force on the day on which the trial commences;
 - (b) the fee is not payable for the first day of trial if the listing fee set out in clause 7A of the Schedule has been paid;
 - (c) subject to paragraph (d), the fee is payable by the plaintiff or appellant in the proceedings;
 - (d) if the Court or a registrar so directs, the fee is payable by another party to the proceedings or by the parties to the proceedings in the proportions directed.

5—Variation of Schedule 1—Fees in civil division

- (1) Schedule 1—after clause 7 insert:

7A On fixing a date for trial

- | | |
|----------------------------------|------------|
| (a) for a prescribed corporation | \$1 746.00 |
| (b) for any other person | \$1 239.00 |

- (2) Schedule 1, clause 16 (Trial fee), Note—delete the note

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 12 September 2017

No 270 of 2017

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