

South Australia

## **Magistrates Court (Fees) Variation Regulations 2017**

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 2017*.

#### **2—Commencement**

These regulations will come into operation on 1 July 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 *Magistrates Court (Fees) Regulations 2004***

#### **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 On issuing a Final Notice of Claim under the rules
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**Magistrates Court (Fees) Variation Regulations 2017**  
 Part 2—Variation of *Magistrates Court (Fees) Regulations 2004*

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(a)	in the case of a Notice of Claim filed using the online portal	\$21.10
(b)	in any other case	\$51.00
2	On commencement of minor civil action	\$143.00
3	On lodging a counterclaim or a third party notice in a minor civil action	\$143.00
4	On commencement of any other action under the <i>Magistrates Court Act 1991</i> —	
(a)	in the case of a prescribed corporation	\$526.00
(b)	in any other case	\$311.00
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	\$526.00
(b)	in any other case	\$311.00
6	For issuing and administering an investigation or examination summons under the <i>Magistrates Court Act 1991</i>	\$54.50
7	On commencement of action under any other Act or issuing a summons on such action	\$143.00
8	On lodging a counterclaim or a third party notice in any action under any other Act	\$143.00
9	For publishing an advertisement	actual costs reasonably incurred
10	For each request to search and inspect a record of the Court	\$23.60
11	For copy of evidence—	
(a)	per page in electronic form	\$7.90
(b)	per page in hard-copy form	\$10.20
12	For copy of reasons for judgment—per page	\$7.90
	<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	\$4.80
14	For production of transcript at request of a party where the Court does not require the transcript—per page	\$16.00
15	Adjudication of costs: on lodging a bill of costs (other than in a minor civil action)	\$74.00
16	For opening Registry (or Registry remaining open) after hours for urgent execution of process—for each hour or part of an hour	\$380.00
17	For opening Court (or Court remaining open) after hours for urgent hearing—for each hour or part of an hour	\$1 144.00

## Schedule 2—Fees in Criminal Division

1	On commencement of proceedings for summary applications, summary offences, minor indictable offences or indictable offences	\$266.00 <b>plus</b> if the complaint or information alleges more than 1 offence—\$48.50
2	For issuing a warrant of commitment	\$52.50
3	For copy of evidence— (a) per page in electronic form (b) per page in hard-copy form	 \$7.90 \$10.20
4	For copy of reasons for judgment—per page  (1 copy will be supplied to a party to the proceedings free of charge.)	 \$7.90
5	For copy of any other document—per page	\$4.80
6	For production of transcript at request of a party where the Court does not require the transcript—per page	\$16.00
7	For each request to search and inspect a record of the Court	\$23.60

## 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>	\$54.50
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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 22 June 2017

No 158 of 2017

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