

South Australia

## **Magistrates Court (Fees) (Tiered Fees in Civil Jurisdiction) Variation Regulations 2018**

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) (Tiered Fees in Civil Jurisdiction) Variation Regulations 2018*.

#### **2—Commencement**

These regulations will come into operation on 1 May 2018.

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

- (1) Schedule 1, clause 4—delete clause 4 and substitute:

- 4 On filing a document to commence any other action under the *Magistrates Court Act 1991*—
  - (a) where the claim is not for money—
    - (i) in the case of a prescribed corporation \$526.00
    - (ii) in any other case \$311.00

- (b) where the amount claimed, or the value of the property the subject of the claim, exceeds \$12 000.00 but does not exceed \$25 000.00—
  - (i) in the case of a prescribed corporation \$526.00
  - (ii) in any other case \$311.00
- (c) where the amount claimed, or the value of the property the subject of the claim, exceeds \$25 000.00 but does not exceed \$50 000.00—
  - (i) in the case of a prescribed corporation \$750.00
  - (ii) in any other case \$400.00
- (d) where the amount claimed, or the value of the property the subject of the claim, exceeds \$50 000.00—
  - (i) in the case of a prescribed corporation \$1 100.00
  - (ii) in any other case \$750.00

(2) Schedule 1, clause 5—delete clause 5 and substitute:

- 5 On lodging a counterclaim or third party notice in any other action under the *Magistrates Court Act 1991*—
  - (a) where the claim is not for money—
    - (i) in the case of a prescribed corporation \$526.00
    - (ii) in any other case \$311.00
  - (b) where the amount claimed, or the value of the property the subject of the claim, exceeds \$12 000.00 but does not exceed \$25 000.00—
    - (i) in the case of a prescribed corporation \$526.00
    - (ii) in any other case \$311.00
  - (c) where the amount claimed, or the value of the property the subject of the claim, exceeds \$25 000.00 but does not exceed \$50 000.00—
    - (i) in the case of a prescribed corporation \$750.00
    - (ii) in any other case \$400.00
  - (d) where the amount claimed, or the value of the property the subject of the claim, exceeds \$50 000.00—
    - (i) in the case of a prescribed corporation \$1 100.00
    - (ii) in any other case \$750.00

**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 January 2018

No 4 of 2018

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