

South Australia

District Court (Fees) Regulations 1992

under the *District Court Act 1991*

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1—Short title

These regulations may be cited as the *District Court (Fees) Regulations 1992*.

2—Commencement

These regulations will come into operation on 6 July 1992.

2A—Interpretation

In these regulations—

Act means the *District Court Act 1991*.

3—Fees

- (1) The fees set out in Schedule 1 are payable to the Court in relation to proceedings in the Civil Division.
- (2) The fees set out in Schedule 2 are payable to the Court in relation to proceedings in the Criminal Division.
- (3) The fees set out in Schedule 3 are payable to the Court in relation to proceedings in the Criminal Injuries Division.
- (3a) The fees to be charged by the Court for inspection or copying of material under section 54 of the Act are the appropriate fees set out in the Schedules.
- (4) The Court may require a non-refundable deposit as security for the payment of fees for the production of a transcript of the hearing of a case at the request of a party where the Court does not require the transcript.

- (5) The fees payable in relation to documents filed or lodged in the Court are payable by purchasing a fee stamp (available from any Court Registry) and affixing the stamp to the document in accordance with subregulation (6).
- (6) A fee stamp must be affixed—
 - (a) if more than one copy of the document is filed or lodged—to the office copy; and
 - (b) to the face of the document or, if the document consists of more than one page, to the face of the first page of the document; and
 - (c) so that the stamp does not obliterate or obscure any word, figure or other writing on the document.

Schedule 1—Fees in civil division

1	Summons fee—on filing a document by which a proceeding (other than a proceeding specified in clause 1AA or clause 1A) is commenced	\$485
1AA	Summons fee—on filing a document by which a proceeding is commenced where a fee has already been paid (whether under clause 1C or under clause 1 as in force before 13 May 2001) for filing an application for discovery of documents relating to the subject-matter of the proceeding	\$375

1A	On filing an application under the <i>Consumer Credit (South Australia) Code</i> for any of the following:	\$110
	(a) an order under s 34(5);	
	(b) an order under s 35;	
	(c) a determination and consequential orders under s 36(6);	
	(d) leave under s 36(7);	
	(e) an order under s 68;	
	(f) an order under s 69;	
	(g) a determination under s 77(1);	
	(h) an order under s 79;	
	(i) an authorisation under s 80(4)(c);	
	(j) an order under s 88(2);	
	(k) variation or revocation of an order under s 89;	
	(l) an authorisation under s 91(1)(a);	
	(m) an authorisation under s 92;	
	(n) an order under s 93;	
	(o) an authorisation under s 94(2);	
	(p) an order under s 98;	
	(q) an authorisation under s 156(2)(e);	
	(r) a determination under s 157(1);	
	(s) an order under s 171(1);	
	(t) an extension of time under s 174;	
	(u) a direction under Sch 2, cl 17.	
1B	On filing a counterclaim or a third party notice	\$275
1C	Summons fee—on filing a document by which application is made for discovery of documents before the commencement of a proceeding	\$62.50
2	On filing or lodging an application, notice or other document that does not relate to a proceeding for which a fee has been paid under clause 1, 1A, 1B or 1C	\$62.50
3	For sealing a certificate or certifying under seal that a document is a true copy	\$33.50
4	For each request to search and inspect a record of the Court	\$9.20
5	For copy of evidence	\$5 per page
6	For copy of reasons for judgment (One copy will be supplied to a party to the proceedings free of charge.)	\$5 per page
7	For plain or office copy of any other document	\$2.20 per page

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Schedule 1—Fees in civil division

8	For computer disc containing record of court proceedings (including reasons for judgment)	The fee that would be payable under these regulations for a printed copy of the record of the proceedings plus \$57 for each day or part of a day on which the proceedings were recorded.
9	For production of transcript at request of a party where the Court does not require the transcript	\$10 per page
10	Trial fee Note— The fee for a trial is the fee fixed under this clause as in force on the day on which the trial commenced. Usually, the fee is payable by the plaintiff or appellant in the proceedings. However, the Court or Registrar may order some other party or parties to pay the whole or a portion of the fee.	\$485 for each day or part of a day on which the trial is heard by the Court
11	Suitors' Fund: on interest collected on funds in Court or credited to an account. (The fee is payable on transfer of interest out of the fund or account or at such earlier time or times as required by the Court.)	If the interest is \$10 or less—no fee. If the interest is over \$10—3% of the amount of interest.
12	Taxation of costs: on lodging a bill of costs	\$33.50
13	Taxation of costs: for taxing a bill of costs	5% of the amount allowed on taxation to the nearest dollar
14	For opening Registry (or Registry remaining open) after hours for urgent execution of process	\$172 per hour or part of an hour
15	For opening Court (or Court remaining open) after hours for urgent hearing	\$516 per hour or part of an hour

Schedule 2—Fees in criminal division

1	(1) For each request to search and inspect a record of the Court (This fee is payable by purchase of a fee stamp from the Registry.) (2) A fee is not payable under subclause (1) for a request by or on behalf of a person accused or a victim of an offence that is the subject of proceedings before the Court.	\$9.20
2	For sealing a certificate or certifying under seal that a document is a true copy	\$33.50
3	For copy of evidence	\$5 per page
4	For copy of reasons for judgment (One copy will be supplied to a party to the proceedings free of charge.)	\$5 per page
5	For plain or office copy of any other document	\$2.20 per page

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|---|---|---|
| 6 | For computer disc containing record of court proceedings (including reasons for judgment) | The fee that would be payable under these regulations for a printed copy of the record of the proceedings plus \$57 for each day or part of a day on which the proceedings were recorded. |
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Schedule 3—Fees in criminal injuries division

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|----|---|---|
| 1 | Summons fee—on filing a document by which a proceeding is commenced | \$62.50 |
| 2 | (1) For each request to search and inspect a record of the Court (This fee is payable by purchase of a fee stamp from the Registry.) | \$9.20 |
| | (2) A fee is not payable under subclause (1) for a request by or on behalf of a person accused or a victim of an offence that is the subject of proceedings before the Court. | |
| 3 | For copy of evidence | \$5 per page |
| 4 | For copy of reasons for judgment
(One copy will be supplied to a party to the proceedings free of charge.) | \$5 per page |
| 5 | For plain or office copy of any other document | \$2.20 per page |
| 6 | For computer disc containing record of court proceedings (including reasons for judgment) | The fee that would be payable under these regulations for a printed copy of the record of the proceedings plus \$57 for each day or part of a day on which the proceedings were recorded. |
| 7 | For production of transcript at request of a party where the Court does not require the transcript | \$10 per page |
| 8 | Taxation of costs: on lodging a bill of costs | \$33.50 |
| 9 | Taxation of costs: for taxing a bill of costs | 5% of the amount allowed on taxation to the nearest dollar |
| 10 | For opening Registry (or Registry remaining open) after hours for urgent execution of process | \$172 per hour or part of an hour |
| 11 | For opening Court (or Court remaining open) after hours for urgent hearing | \$516 per hour or part of an hour |

Legislative history

Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes.

Revocation of regulations

The *District Court (Fees) Regulations 1992* were revoked by Sch 4 of the *District Court (Fees) Regulations 2004* on 23.9.2004.

Principal regulations and variations

Year	No	Reference	Commencement
1992	156	<i>Gazette 2.7.1992 p226</i>	6.7.1992: r 2
1993	155	<i>Gazette 1.7.1993 p361</i>	1.7.1993: r 2
1994	87	<i>Gazette 23.6.1994 p1793</i>	1.7.1994: r 2
1995	65	<i>Gazette 10.5.1995 p2024</i>	1.7.1995: r 2
1996	98	<i>Gazette 30.5.1996 p2686</i>	1.7.1996: r 2
1997	41	<i>Gazette 3.4.1997 p1407</i>	3.4.1997: r 2
1997	62	<i>Gazette 13.5.1997 p1832</i>	1.7.1997: r 2
1998	54	<i>Gazette 28.5.1998 p2297</i>	1.7.1998: r 2
1999	123	<i>Gazette 24.6.1999 p3275</i>	1.7.1999: r 2
2000	56	<i>Gazette 25.5.2000 p2710</i>	1.7.2000: r 2
2001	36	<i>Gazette 3.5.2001 p1722</i>	13.5.2001: r 2
2001	43	<i>Gazette 31.5.2001 p1942</i>	1.7.2001: r 2
2002	80	<i>Gazette 20.6.2002 p2570</i>	1.7.2002: r 2
2003	81	<i>Gazette 29.5.2003 p2216</i>	1.7.2003: r 2

Provisions varied

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
r 2A	inserted by 43/2001 r 3	1.7.2001
r 3		
r 3(3a)	inserted by 43/2001 r 4	1.7.2001
Sch 1		
cl 1	varied by 155/1993 r 3(a)	1.7.1993
	varied by 87/1994 r 3(a)	1.7.1994
	varied by 65/1995 r 3(a)	1.7.1995
	varied by 98/1996 r 3(a)	1.7.1996
	substituted by 41/1997 r 3	3.4.1997
	varied by 62/1997 r 3(a)	1.7.1997
	varied by 54/1998 r 3(a)	1.7.1998

	varied by 123/1999 r 3(a)	1.7.1999
	varied by 56/2000 r 3(a)	1.7.2000
	varied by 36/2001 r 3(a)	13.5.2001
	varied by 43/2001 r 5(a)	1.7.2001
	varied by 80/2002 r 3(a)	1.7.2002
	varied by 81/2003 r 4(1)	1.7.2003
cl 1AA	inserted by 36/2001 r 3(b)	13.5.2001
	varied by 80/2002 r 3(b)	1.7.2002
	varied by 81/2003 r 4(2)	1.7.2003
cl 1A	inserted by 155/1993 r 3(b)	1.7.1993
	inserted by 87/1994 r 3(b)	1.7.1994
	varied by 65/1995 r 3(b)	1.7.1995
	varied by 98/1996 r 3(a)	1.7.1996
	substituted by 41/1997 r 3	3.4.1997
	varied by 62/1997 r 3(b)	1.7.1997
	varied by 54/1998 r 3(b)	1.7.1998
	varied by 56/2000 r 3(b)	1.7.2000
	varied by 43/2001 r 5(b)	1.7.2001
	varied by 80/2002 r 3(c)	1.7.2002
	varied by 81/2003 r 4(3)	1.7.2003
cl 1B	inserted by 41/1997 r 3	3.4.1997
	varied by 62/1997 r 3(c)	1.7.1997
	varied by 54/1998 r 3(c)	1.7.1998
	varied by 123/1999 r 3(b)	1.7.1999
	varied by 56/2000 r 3(c)	1.7.2000
	varied by 43/2001 r 5(c)	1.7.2001
	varied by 80/2002 r 3(d)	1.7.2002
	varied by 81/2003 r 4(4)	1.7.2003
cl 1C	inserted by 36/2001 r 3(c)	13.5.2001
	varied by 80/2002 r 3(e)	1.7.2002
	varied by 81/2003 r 4(5)	1.7.2003
cl 2	substituted by 155/1993 r 3(b)	1.7.1993
	varied by 87/1994 r 3(c)	1.7.1994
	varied by 65/1995 r 3(c)	1.7.1995
	varied by 98/1996 r 3(b)	1.7.1996
	substituted by 41/1997 r 3	3.4.1997
	varied by 62/1997 r 3(d)	1.7.1997
	varied by 54/1998 r 3(d)	1.7.1998
	varied by 56/2000 r 3(d)	1.7.2000
	varied by 36/2001 r 3(d)	13.5.2001
	varied by 43/2001 r 5(d)	1.7.2001
	varied by 80/2002 r 3(f)	1.7.2002
	varied by 81/2003 r 4(6)	1.7.2003

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cl 3	varied by 155/1993 r 3(c)	1.7.1993
	varied by 65/1995 r 3(d)	1.7.1995
	varied by 98/1996 r 3(c)	1.7.1996
	varied by 62/1997 r 3(e)	1.7.1997
	varied by 54/1998 r 3(e)	1.7.1998
	varied by 123/1999 r 3(c)	1.7.1999
	varied by 80/2002 r 3(g)	1.7.2002
	varied by 81/2003 r 4(7)	1.7.2003
cl 4	varied by 98/1996 r 3(d)	1.7.1996
	varied by 56/2000 r 3(e)	1.7.2000
	varied by 43/2001 r 5(e)	1.7.2001
	varied by 80/2002 r 3(h)	1.7.2002
	varied by 81/2003 r 4(8)	1.7.2003
cl 5	varied by 155/1993 r 3(d)	1.7.1993
	varied by 54/1998 r 3(f)	1.7.1998
	varied by 80/2002 r 3(i)	1.7.2002
cl 6	varied by 155/1993 r 3(e)	1.7.1993
	varied by 54/1998 r 3(g)	1.7.1998
	varied by 80/2002 r 3(j)	1.7.2002
cl 7	varied by 43/2001 r 5(f)	1.7.2001
	varied by 80/2002 r 3(k)	1.7.2002
cl 8	varied by 155/1993 r 3(f)	1.7.1993
	varied by 87/1994 r 3(d)	1.7.1994
	varied by 65/1995 r 3(e)	1.7.1995
	varied by 98/1996 r 3(e)	1.7.1996
	varied by 54/1998 r 3(h)	1.7.1998
	varied by 123/1999 r 3(d)	1.7.1999
	varied by 56/2000 r 3(f)	1.7.2000
	varied by 43/2001 r 5(g)	1.7.2001
	varied by 80/2002 r 3(l)	1.7.2002
varied by 81/2003 r 4(9)	1.7.2003	
cl 9	varied by 155/1993 r 3(g)	1.7.1993
	varied by 98/1996 r 3(f)	1.7.1996
	varied by 54/1998 r 3(i)	1.7.1998
	varied by 80/2002 r 3(m)	1.7.2002
cl 10	varied by 155/1993 r 3(h)	1.7.1993
	varied by 87/1994 r 3(e)	1.7.1994
	varied by 65/1995 r 3(f)	1.7.1995
	varied by 98/1996 r 3(g)	1.7.1996
	varied by 62/1997 r 3(f)	1.7.1997
	substituted by 54/1998 r 3(j)	1.7.1998
	varied by 123/1999 r 3(e)	1.7.1999
varied by 56/2000 r 3(g)	1.7.2000	

	varied by 43/2001 r 5(h)	1.7.2001
	substituted by 80/2002 r 3(n)	1.7.2002
	varied by 81/2003 r 4(10), (11)	1.7.2003
cl 12	varied by 155/1993 r 3(i)	1.7.1993
	varied by 65/1995 r 3(g)	1.7.1995
	varied by 98/1996 r 3(h)	1.7.1996
	varied by 62/1997 r 3(g)	1.7.1997
	varied by 54/1998 r 3(k)	1.7.1998
	varied by 123/1999 r 3(f)	1.7.1999
	varied by 43/2001 r 5(i)	1.7.2001
	varied by 80/2002 r 3(o)	1.7.2002
	varied by 81/2003 r 4(12)	1.7.2003
cl 14	varied by 155/1993 r 3(j)	1.7.1993
	varied by 87/1994 r 3(f)	1.7.1994
	varied by 65/1995 r 3(h)	1.7.1995
	varied by 98/1996 r 3(i)	1.7.1996
	varied by 62/1997 r 3(h)	1.7.1997
	varied by 54/1998 r 3(l)	1.7.1998
	varied by 123/1999 r 3(g)	1.7.1999
	varied by 56/2000 r 3(h)	1.7.2000
	varied by 43/2001 r 5(j)	1.7.2001
	varied by 80/2002 r 3(p)	1.7.2002
	varied by 81/2003 r 4(13)	1.7.2003
cl 15	varied by 155/1993 r 3(k)	1.7.1993
	varied by 87/1994 r 3(g)	1.7.1994
	varied by 65/1995 r 3(i)	1.7.1995
	varied by 98/1996 r 3(j)	1.7.1996
	varied by 62/1997 r 3(i)	1.7.1997
	varied by 54/1998 r 3(m)	1.7.1998
	varied by 123/1999 r 3(h)	1.7.1999
	varied by 56/2000 r 3(i)	1.7.2000
	varied by 43/2001 r 5(k)	1.7.2001
	varied by 80/2002 r 3(q)	1.7.2002
	varied by 81/2003 r 4(14)	1.7.2003
Sch 2		
cl 1		
cl 1(1)	cl 1 redesignated as cl 1(1) by 155/1993 r 4(a)	1.7.1993
	varied by 98/1996 4(a)	1.7.1996
	varied by 56/2000 r 4(a)	1.7.2000
	varied by 43/2001 r 6(a)	1.7.2001
	varied by 80/2002 r 4(a)	1.7.2002
	varied by 81/2003 r 5(1)	1.7.2003
cl 1(2)	inserted by 155/1993 r 4(a)	1.7.1993

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cl 2	varied by 155/1993 r 4(b)	1.7.1993
	varied by 65/1995 r 4(a)	1.7.1995
	varied by 98/1996 r 4(b)	1.7.1996
	varied by 62/1997 r 4	1.7.1997
	varied by 54/1998 r 4(a)	1.7.1998
	varied by 123/1999 r 4(a)	1.7.1999
	varied by 43/2001 r 6(b)	1.7.2001
	varied by 80/2002 r 4(b)	1.7.2002
cl 3	varied by 81/2003 r 5(2)	1.7.2003
	varied by 155/1993 r 4(c)	1.7.1993
	varied by 54/1998 r 4(b)	1.7.1998
cl 4	varied by 80/2002 r 4(c)	1.7.2002
	varied by 155/1993 r 4(d)	1.7.1993
cl 5	varied by 54/1998 r 4(c)	1.7.1998
	varied by 80/2002 r 4(d)	1.7.2002
cl 6	varied by 43/2001 r 6(c)	1.7.2001
	varied by 80/2002 r 4(e)	1.7.2002
cl 6	varied by 155/1993 r 4(e)	1.7.1993
	varied by 87/1994 r 4	1.7.1994
	varied by 65/1995 r 4(b)	1.7.1995
	varied by 98/1996 r 4(c)	1.7.1996
	varied by 54/1998 r 4(d)	1.7.1998
	varied by 123/1999 r 4(b)	1.7.1999
	varied by 56/2000 r 4(b)	1.7.2000
	varied by 43/2001 r 6(d)	1.7.2001
	varied by 80/2002 r 4(f)	1.7.2002
	varied by 81/2003 r 5(3)	1.7.2003
	Sch 3	
cl 1	varied by 155/1993 r 5(a)	1.7.1993
	varied by 87/1994 r 5(a)	1.7.1994
	varied by 65/1995 r 5(a)	1.7.1995
	varied by 98/1996 r 5(a)	1.7.1996
	varied by 62/1997 r 5(a)	1.7.1997
	varied by 54/1998 r 5(a)	1.7.1998
	varied by 56/2000 r 5(a)	1.7.2000
	varied by 43/2001 r 7(a)	1.7.2001
	varied by 80/2002 r 5(a)	1.7.2002
	varied by 81/2003 r 6(1)	1.7.2003
cl 2		
	cl 2(1)	
cl 2(1)	cl 2 redesignated as cl 2(1) by 155/1993 r 5(b)	1.7.1993
	varied by 98/1996 r 5(b)	1.7.1996
	varied by 56/2000 r 5(b)	1.7.2000
	varied by 43/2001 r 7(b)	1.7.2001

	varied by 80/2002 r 5(b)	1.7.2002
	varied by 81/2003 r 6(2)	1.7.2003
cl 2(2)	inserted by 155/1993 r 5(b)	1.7.1993
cl 3	varied by 155/1993 r 5(c)	1.7.1993
	varied by 54/1998 r 5(b)	1.7.1998
	varied by 80/2002 r 5(c)	1.7.2002
cl 4	varied by 155/1993 r 5(d)	1.7.1993
	varied by 54/1998 r 5(c)	1.7.1998
	varied by 80/2002 r 5(d)	1.7.2002
cl 5	varied by 43/2001 r 7(c)	1.7.2001
	varied by 80/2002 r 5(e)	1.7.2002
cl 6	varied by 155/1993 r 5(e)	1.7.1993
	varied by 87/1994 r 5(b)	1.7.1994
	varied by 65/1995 r 5(b)	1.7.1995
	varied by 98/1996 r 5(c)	1.7.1996
	varied by 54/1998 r 5(d)	1.7.1998
	varied by 123/1999 r 5(a)	1.7.1999
	varied by 56/2000 r 5(c)	1.7.2000
	varied by 43/2001 r 7(d)	1.7.2001
	varied by 80/2002 r 5(f)	1.7.2002
	varied by 81/2003 r 6(3)	1.7.2003
cl 7	varied by 155/1993 r 5(f)	1.7.1993
	varied by 98/1996 r 5(d)	1.7.1996
	varied by 54/1998 r 5(e)	1.7.1998
	varied by 80/2002 r 5(g)	1.7.2002
cl 8	varied by 155/1993 r 5(g)	1.7.1993
	varied by 65/1995 r 5(c)	1.7.1995
	varied by 98/1996 r 5(e)	1.7.1996
	varied by 62/1997 r 5(b)	1.7.1997
	varied by 54/1998 r 5(f)	1.7.1998
	varied by 123/1999 r 5(b)	1.7.1999
	varied by 43/2001 r 7(e)	1.7.2001
	varied by 80/2002 r 5(h)	1.7.2002
	varied by 81/2003 r 6(4)	1.7.2003
cl 10	varied by 155/1993 r 5(h)	1.7.1993
	varied by 87/1994 r 5(c)	1.7.1994
	varied by 65/1995 r 5(d)	1.7.1995
	varied by 98/1996 r 5(f)	1.7.1996
	varied by 62/1997 r 5(c)	1.7.1997
	varied by 54/1998 r 5(g)	1.7.1998
	varied by 123/1999 r 5(c)	1.7.1999
	varied by 56/2000 r 5(d)	1.7.2000
	varied by 43/2001 r 7(f)	1.7.2001

	varied by 80/2002 r 5(i)	1.7.2002
	varied by 81/2003 r 6(5)	1.7.2003
cl 11	varied by 155/1993 r 5(i)	1.7.1993
	varied by 87/1994 r 5(d)	1.7.1994
	varied by 65/1995 r 5(e)	1.7.1995
	varied by 98/1996 r 5(g)	1.7.1996
	varied by 62/1997 r 5(d)	1.7.1997
	varied by 54/1998 r 5(h)	1.7.1998
	varied by 123/1999 r 5(d)	1.7.1999
	varied by 56/2000 r 5(e)	1.7.2000
	varied by 43/2001 r 7(g)	1.7.2001
	varied by 80/2002 r 5(j)	1.7.2002
	varied by 81/2003 r 6(6)	1.7.2003
Sch 4	<i>substituted by 65/1995 r 6</i>	<i>1.7.1995</i>
	<i>substituted by 98/1996 r 6</i>	<i>1.7.1996</i>
	<i>varied by 62/1997 r 6</i>	<i>1.7.1997</i>
	<i>deleted by 54/1998 r 6</i>	<i>1.7.1998</i>