

SOUTH AUSTRALIA

**ENVIRONMENT, RESOURCES AND DEVELOPMENT COURT  
REGULATIONS 1993**

## **SUMMARY OF PROVISIONS**

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**LEGISLATIVE HISTORY**

**REGULATIONS UNDER THE ENVIRONMENT, RESOURCES AND  
DEVELOPMENT COURT ACT 1993**

*Environment, Resources and Development Court Regulations 1993*

being

No. 245 of 1993: *Gaz.* 27 October 1993, p. 2094<sup>1</sup>

as varied by

No. 88 of 1994: *Gaz.* 23 June 1994, p. 1795<sup>2</sup>

No. 68 of 1995: *Gaz.* 10 May 1995, p. 2030<sup>3</sup>

No. 99 of 1996: *Gaz.* 30 May 1996, p. 2688<sup>4</sup>

No. 63 of 1997: *Gaz.* 13 May 1997, p. 1834<sup>5</sup>

No. 56 of 1998: *Gaz.* 28 May 1998, p. 2300<sup>6</sup>

No. 124 of 1999: *Gaz.* 24 June 1999, p. 3277<sup>7</sup>

- <sup>1</sup> Came into operation 15 January 1994: reg. 2.
- <sup>2</sup> Came into operation 1 July 1994: reg. 2.
- <sup>3</sup> Came into operation 1 July 1995: reg. 2.
- <sup>4</sup> Came into operation 1 July 1996: reg. 2.
- <sup>5</sup> Came into operation 1 July 1997: reg. 2.
- <sup>6</sup> Came into operation 1 July 1998: reg. 2.
- <sup>7</sup> Came into operation 1 July 1999: reg. 2.

**Citation**

1. These regulations may be cited as the *Environment, Resources and Development Court Regulations 1993*.

**Commencement**

2. These regulations will come into operation on 15 January 1994.

**Interpretation**

3. In these regulations—

"the Act" means the *Environment, Resources and Development Act 1993*.

**Fees**

4. (1) The fees set out in the schedule are payable to the Court in relation to proceedings before the Court, other than criminal proceedings.

(2) The fees that are payable in relation to criminal proceedings before the Court will be the fees that are from time to time set for the purposes of proceedings in the Criminal Division of the Magistrates Court under the *Magistrates Court (Fees) Regulations 1992*.

**Interest rate**

5. For the purposes of section 40(1) of the Act, the prescribed rate of interest is 10 per cent per annum.

**SCHEDULE**  
*Fees in General Jurisdiction*

- |    |   |   |
|----|---|---|
| 1. | On filing or lodging any application or initiating any appeal or other proceedings, other than—   |   |
|    | (a) an interlocutory application under the rules of the Court; or   |   |
|    | (b) an application that relates to a building dispute to which section 86(5) of the <i>Development Act 1993</i> applies; or                             |   |
|    | (c) an application to the Court for a consent judgment  | \$60  |
| 2. | On an application by a party to proceedings for the issue of a summons  | \$23  |
| 3. | Court fee payable by an applicant where the application relates to a building dispute to which section 86(5) of the <i>Development Act 1993</i> applies | \$180   |
| 4. | Court fee payable by the applicant or appellant if a matter proceeds to a hearing   | \$120   |
| 5. | For each request to inspect any material under section 47(1) of the Act   | \$8   |
| 6. | For a copy of a transcript of evidence  | \$4.70<br>per page  |
| 7. | Except where clause 8 applies, for a copy of any documentary material admitted into evidence  | \$4.70<br>per page  |
| 8. | For a copy of any photograph, map, plan or other document which is greater than A4 in size  | \$4.70<br>per page, or<br>the actual<br>c o s t o f<br>c o p y i n g ,<br>whichever is<br>the greater |
| 9. | (1) For a copy of any decision or order given or made by the Court  | \$4.70<br>per page  |
|    | (2) A party to any proceedings is entitled to one copy of any decision or order given or made by the Court without charge                               |   |

4.

- 9A. For a plain or office copy of any other document for which a fee has not been fixed under any other clause \$2 per page
10. For opening Registry (or Registry remaining open) after hours for urgent execution of process \$60 per hour or part of an hour

**APPENDIX****LEGISLATIVE HISTORY**

## Schedule

- Item 1: varied by 68, 1995, reg. 3(a); 99, 1996, reg. 3(a); 63, 1997, reg. 3(a); 56, 1998, reg. 3(a)
- Item 2: varied by 68, 1995, reg. 3(b); 99, 1996, reg. 3(b); 56, 1998, reg. 3(b)
- Item 3: varied by 68, 1995, reg. 3(c); 99, 1996, reg. 3(c); 63, 1997, reg. 3(b); 56, 1998, reg. 3(c); 124, 1999, reg. 3(a)
- Item 4: varied by 68, 1995, reg. 3(d); 99, 1996, reg. 3(d); 63, 1997, reg. 3(c); 56, 1998, reg. 3(d); 124, 1999, reg. 3(b)
- Item 5: varied by 99, 1996, reg. 3(e)
- Item 6: varied by 88, 1994, reg. 3; 56, 1998, reg. 3(e)
- Item 7: varied by 56, 1998, reg. 3(f)
- Item 8: varied by 56, 1998, reg. 3(g)
- Item 9: varied by 56, 1998, reg. 3(h)
- Item 9A: inserted by 56, 1998, reg. 3(i)
- Item 10: varied by 68, 1995, reg. 3(e); 99, 1996, reg. 3(f); 63, 1997, reg. 3(d); 56, 1998, reg. 3(j)