

South Australia

Magistrates Court (Fees) Regulations 1992

under the *Magistrates Court Act 1991*

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Legislative history

1—Short title

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

2—Commencement

These regulations will come into operation on 6 July 1992.

2A—Interpretation

In these regulations—

Act means the *Magistrates Court Act 1991*.

3—Fees

- (1) The fees set out in Schedule 1 are payable to the Court in relation to proceedings in—
 - (a) the Civil (General Claims) Division; or
 - (b) the Civil (Minor Claims) Division; or
 - (c) the Civil (Consumer and Business) Division.
- (2) The fees set out in Schedule 2 are payable to the Court in relation to proceedings in the Criminal Division.
- (2a) The fees payable for inspection or copying of material under section 51 of the Act are the appropriate fees set out in the Schedules.
- (3) 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.

- (4) 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 (5).
- (5) 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 (General Claims) Division and Civil (Minor Claims) Division

A1	For issuing a <i>Final Notice of Claim</i> under the rules	\$10
1	On commencement of minor civil action	\$74
2	On lodging a counterclaim or a third party notice in a minor civil action	\$74
3	On commencement of any other action under <i>Magistrates Court Act 1991</i>	\$140
4	On lodging a counterclaim or a third party notice in any other action under <i>Magistrates Court Act 1991</i>	\$140
5	For issuing investigation or examination summons under <i>Magistrates Court Act 1991</i>	\$11.20
6	On commencement of action under any other Act or issuing a summons on such action	\$74
7	On lodging a counterclaim or a third party notice in any action under any other Act	\$74
8	For publishing advertisement	actual costs reasonably incurred
9	For each request to search and inspect a record of the Court	\$9.20
10	For copy of evidence	\$5 per page
11	For copy of reasons for judgment (One copy will be supplied to a party to the proceedings free of charge.)	\$5 per page
12	For plain or office copy of any other document	\$2.20 per page
13	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.
14	For production of transcript at request of a party where the Court does not require the transcript	\$10 per page
15	Taxation of costs: on lodging a bill of costs (other than in a minor civil action)	\$33.50

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|----|---|-----------------------------------|
| 16 | For opening Registry (or Registry remaining open) after hours for urgent execution of process | \$172 per hour or part of an hour |
| 17 | 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

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|----|---|---|
| 1 | On commencement of proceedings for summary applications, summary offences, minor indictable offences or indictable offences | \$104 plus if the complaint or information alleges more than one offence—\$26.20 |
| 1A | For making an enforcement order under the <i>Expiation of Offences Act 1996</i> | \$104 |
| 2 | For issuing a warrant of commitment | \$28.50 |
| 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 |
| 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 |

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 *Magistrates Court (Fees) Regulations 1992* were revoked by Sch 3 of the *Magistrates Court (Fees) Regulations 2004* on 1.7.2004.

Principal regulations and variations

Year	No	Reference	Commencement
1992	157	<i>Gazette 2.7.1992 p232</i>	6.7.1992: r 2
1993	160	<i>Gazette 1.7.1993 p372</i>	1.7.1993: r 2
1994	89	<i>Gazette 23.6.1994 p1796</i>	1.7.1994: r 2
1995	66	<i>Gazette 10.5.1995 p2026</i>	1.7.1995: r 2
1996	100	<i>Gazette 30.5.1996 p2689</i>	1.7.1996: r 2
1996	227	<i>Gazette 17.10.1996 p1387</i>	17.10.1996: r 2
1996	259	<i>Gazette 23.12.1996 p2262</i>	3.2.1997: r 2
1997	64	<i>Gazette 13.5.1997 p1835</i>	1.7.1997: r 2
1998	57	<i>Gazette 28.5.1998 p2302</i>	1.7.1998: r 2
1999	126	<i>Gazette 24.6.1999 p3279</i>	1.7.1999: r 2
2000	59	<i>Gazette 25.5.2000 p2714</i>	1.7.2000: r 2
2001	46	<i>Gazette 31.5.2001 p1946</i>	1.7.2001: r 2
2002	83	<i>Gazette 20.6.2002 p2576</i>	1.7.2002: r 2
2003	84	<i>Gazette 29.5.2003 p2223</i>	1.7.2003: r 2

Provisions varied

Provision	How varied	Commencement
r 2A	inserted by 46/2001 r 3	1.7.2001
r 3		
r 3(1)	substituted by 227/1996 r 3	17.10.1996
r 3(2a)	inserted by 46/2001 r 4	1.7.2001
Sch 1	substituted by 160/1993 r 3	1.7.1993
Item A1	inserted by 126/1999 r 3(a)	1.7.1999
Item 1	varied by 89/1994 r 3(a)	1.7.1994
	varied by 66/1995 r 3(a)	1.7.1995
	varied by 100/1996 r 3(a)	1.7.1996
	varied by 64/1997 r 3(a)	1.7.1997
	varied by 57/1998 r 3(a)	1.7.1998
	varied by 59/2000 r 3(a)	1.7.2000

	varied by 46/2001 r 5(a)	1.7.2001
	varied by 83/2002 r 3(a)	1.7.2002
	varied by 84/2003 r 4(1)	1.7.2003
Item 2	varied by 100/1996 r 3(a)	1.7.1996
	varied by 64/1997 r 3(a)	1.7.1997
	varied by 57/1998 r 3(a)	1.7.1998
	varied by 59/2000 r 3(a)	1.7.2000
	varied by 46/2001 r 5(b)	1.7.2001
	varied by 83/2002 r 3(b)	1.7.2002
	varied by 84/2003 r 4(2)	1.7.2003
Item 3	varied by 89/1994 r 3(c)	1.7.1994
	varied by 66/1995 r 3(c)	1.7.1995
	varied by 100/1996 r 3(b)	1.7.1996
	varied by 64/1997 r 3(c)	1.7.1997
	varied by 57/1998 r 3(c)	1.7.1998
	varied by 126/1999 r 3(b)	1.7.1999
	varied by 59/2000 r 3(c)	1.7.2000
	varied by 46/2001 r 5(c)	1.7.2001
	varied by 83/2002 r 3(c)	1.7.2002
	varied by 84/2003 r 4(3)	1.7.2003
Item 4	varied by 89/1994 r 3(d)	1.7.1994
	varied by 66/1995 r 3(d)	1.7.1995
	varied by 100/1996 r 3(b)	1.7.1996
	varied by 64/1997 r 3(d)	1.7.1997
	varied by 89/1994 r 3(d)	1.7.1994
	varied by 66/1995 r 3(d)	1.7.1995
	varied by 100/1996 r 3(b)	1.7.1996
	varied by 89/1994 r 3(d)	1.7.1994
	varied by 66/1995 r 3(d)	1.7.1995
	varied by 100/1996 r 3(b)	1.7.1996
	varied by 64/1997 r 3(d)	1.7.1997
	varied by 57/1998 r 3(d)	1.7.1998
	varied by 59/2000 r 3(d)	1.7.2000
	varied by 46/2001 r 5(d)	1.7.2001
	varied by 83/2002 r 3(d)	1.7.2002
	varied by 84/2003 r 4(4)	1.7.2003
Item 5	varied by 100/1996 r 3(c)	1.7.1996
	varied by 126/1999 r 3(d)	1.7.1999
	varied by 46/2001 r 5(e)	1.7.2001
	varied by 83/2002 r 3(e)	1.7.2002
	varied by 84/2003 r 4(5)	1.7.2003
Item 6	varied by 89/1994 r 3(e)	1.7.1994
	varied by 66/1995 r 3(e)	1.7.1995

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	varied by 100/1996 r 3(d)	1.7.1996
	varied by 64/1997 r 3(e)	1.7.1997
	varied by 57/1998 r 3(e)	1.7.1998
	varied by 59/2000 r 3(e)	1.7.2000
	varied by 46/2001 r 5(f)	1.7.2001
	varied by 83/2002 r 3(f)	1.7.2002
Item 7	varied by 84/2003 r 4(7)	1.7.2003
Item 9	varied by 100/1996 r 3(e)	1.7.1996
	varied by 59/2000 r 3(g)	1.7.2000
	varied by 46/2001 r 5(h)	1.7.2001
	varied by 83/2002 r 3(h)	1.7.2002
	varied by 84/2003 r 4(8)	1.7.2003
Item 10	varied by 57/1998 r 3(g)	1.7.1998
	varied by 83/2002 r 3(i)	1.7.2002
Item 11	varied by 57/1998 r 3(h)	1.7.1998
	varied by 83/2002 r 3(j)	1.7.2002
Item 12	varied by 46/2001 r 5(i)	1.7.2001
	varied by 83/2002 r 3(k)	1.7.2002
Item 13	varied by 89/1994 r 3(g)	1.7.1994
	varied by 66/1995 r 3(g)	1.7.1995
	varied by 100/1996 r 3(f)	1.7.1996
	varied by 57/1998 r 3(i)	1.7.1998
	varied by 126/1999 r 3(e)	1.7.1999
	varied by 59/2000 r 3(h)	1.7.2000
	varied by 46/2001 5(j)	1.7.2001
	varied by 83/2002 r 3(l)	1.7.2002
	varied by 84/2003 r 4(9)	1.7.2003
Item 14	varied by 100/1996 r 3(g)	1.7.1996
	varied by 57/1998 r 3(j)	1.7.1998
	varied by 83/2002 r 3(m)	1.7.2002
Item 15	varied by 66/1995 r 3(h)	1.7.1995
	varied by 100/1996 r 3(h)	1.7.1996
	varied by 64/1997 r 3(g)	1.7.1997
	varied by 57/1998 r 3(k)	1.7.1998
	varied by 126/1999 r 3(f)	1.7.1999
	varied by 46/2001 r 5(k)	1.7.2001
	varied by 83/2002 r 3(n)	1.7.2002
	varied by 84/2003 r 4(10)	1.7.2003
Item 16	varied by 89/1994 r 3(h)	1.7.1994
	varied by 66/1995 r 3(i)	1.7.1995
	varied by 100/1996 r 3(i)	1.7.1996
	varied by 64/1997 r 3(h)	1.7.1997
	varied by 57/1998 r 3(l)	1.7.1998

	varied by 126/1999 r 3(g)	1.7.1999
	varied by 59/2000 r 3(i)	1.7.2000
	varied by 46/2001 r 5(l)	1.7.2001
	varied by 83/2002 r 3(o)	1.7.2002
	varied by 84/2003 r 4(11)	1.7.2003
Item 17	varied by 89/1994 r 3(i)	1.7.1994
	varied by 66/1995 r 3(j)	1.7.1995
	varied by 100/1996 r 3(j)	1.7.1996
	varied by 89/1994 r 3(i)	1.7.1994
	varied by 66/1995 r 3(j)	1.7.1995
	varied by 100/1996 r 3(j)	1.7.1996
	varied by 64/1997 r 3(i)	1.7.1997
	varied by 57/1998 r 3(m)	1.7.1998
	varied by 126/1999 r 3(h)	1.7.1999
	varied by 57/1998 r 3(m)	1.7.1998
	varied by 126/1999 r 3(h)	1.7.1999
	varied by 59/2000 r 3(j)	1.7.2000
	varied by 46/2001 r 5(m)	1.7.2001
	varied by 83/2002 r 3(p)	1.7.2002
	varied by 84/2003 r 4(12)	1.7.2003
Sch 2		
Item 1	varied by 160/1993 r 4(a)—(c)	1.7.1993
	varied by 89/1994 r 4(a)	1.7.1994
	varied by 66/1995 r 4(a)	1.7.1995
	varied by 100/1996 r 4(a)	1.7.1996
	varied by 64/1997 r 4(a)	1.7.1997
	varied by 57/1998 r 4(a), (b)	1.7.1998
	varied by 126/1999 r 4(a)	1.7.1999
	varied by 59/2000 r 4(a)	1.7.2000
	varied by 46/2001 r 6(a)	1.7.2001
	varied by 83/2002 r 4(a)	1.7.2002
	varied by 84/2003 r 5(1), (2)	1.7.2003
Item 1A	inserted by 259/1996 r 3 (Sch cl 16)	3.2.1997
	varied by 64/1997 r 4(b)	1.7.1997
	varied by 57/1998 r 4(c)	1.7.1998
	varied by 59/2000 r 4(b)	1.7.2000
	varied by 46/2001 r 6(b)	1.7.2001
	varied by 83/2002 r 4(b)	1.7.2002
	varied by 84/2003 r 5(3)	1.7.2003
Item 2	varied by 160/1993 r 4(d)	1.7.1993
	varied by 66/1995 r 4(b)	1.7.1995
	varied by 100/1996 r 4(b)	1.7.1996
	varied by 57/1998 r 4(d)	1.7.1998

	varied by 126/1999 r 4(b)	1.7.1999
	varied by 59/2000 r 4(c)	1.7.2000
	varied by 46/2001 r 6(c)	1.7.2001
	varied by 83/2002 r 4(c)	1.7.2002
	varied by 84/2003 r 5(4)	1.7.2003
Item 3	varied by 160/1993 r 4(e)	1.7.1993
	varied by 57/1998 r 4(e)	1.7.1998
	varied by 83/2002 r 4(d)	1.7.2002
Item 4	varied by 160/1993 r 4(f)	1.7.1993
	varied by 57/1998 r 4(f)	1.7.1998
	varied by 83/2002 r 4(e)	1.7.2002
Item 5	varied by 46/2001 r 6(d)	1.7.2001
	varied by 83/2002 r 4(f)	1.7.2002
Item 6	varied by 160/1993 r 4(g)	1.7.1993
	varied by 89/1994 r 4(b)	1.7.1994
	varied by 66/1995 r 4(c)	1.7.1995
	varied by 100/1996 r 4(c)	1.7.1996
	varied by 57/1998 r 4(g)	1.7.1998
	varied by 126/1999 r 4(c)	1.7.1999
	varied by 59/2000 r 4(d)	1.7.2000
	varied by 46/2001 r 6(e)	1.7.2001
	varied by 83/2002 r 4(g)	1.7.2002
	varied by 84/2003 r 5(5)	1.7.2003
Item 7	varied by 160/1993 r 4(h)	1.7.1993
	varied by 100/1996 r 4(d)	1.7.1996
	varied by 57/1998 r 4(h)	1.7.1998
	varied by 83/2002 r 4(h)	1.7.2002

Transitional etc provisions associated with regulations or variations

Regulations Variation (Common Expiation Scheme) Regulations 1996 (No 259 of 1996)

4—Transitional provision

A regulation varied or revoked by these regulations will continue to apply (as in force immediately prior to the variation or revocation coming into operation) to an expiation notice issued under the varied or revoked regulations.