

South Australia

## **Magistrates Court (Fees) Regulations 2004**

under the *Magistrates Court Act 1991*

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### **1—Short title**

These regulations may be cited as the *Magistrates Court (Fees) Regulations 2004*.

### **2—Commencement**

These regulations will come into operation on 1 July 2004.

### **3—Interpretation**

In these regulations—

*Act* means the *Magistrates Court Act 1991*.

### **4—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.
- (3) The fees payable for inspection or copying of material under section 51 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.

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

1	For issuing a <i>Final Notice of Claim</i> under the rules	\$12
2	On commencement of minor civil action	\$77
3	On lodging a counterclaim or a third party notice in a minor civil action	\$77
4	On commencement of any other action under <i>Magistrates Court Act 1991</i>	\$145
5	On lodging a counterclaim or a third party notice in any other action under <i>Magistrates Court Act 1991</i>	\$145
6	For issuing investigation or examination summons under <i>Magistrates Court Act 1991</i>	\$11.60
7	On commencement of action under any other Act or issuing a summons on such action	\$77
8	On lodging a counterclaim or a third party notice in any action under any other Act	\$77
9	For publishing advertisement	actual costs reasonably incurred
10	For each request to search and inspect a record of the Court	\$9.50
11	For copy of evidence	\$5 per page
12	For copy of reasons for judgment (One copy will be supplied to a party to the proceedings free of charge.)	\$5 per page
13	For copy of any other document	\$2.20 per page
14	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 \$59 for each day or part of a day on which the proceedings were recorded.
15	For production of transcript at request of a party where the Court does not require the transcript	\$10 per page
16	Taxation of costs: on lodging a bill of costs (other than in a minor civil action)	\$34.80
17	For opening Registry (or Registry remaining open) after hours for urgent execution of process	\$178 per hour or part of an hour
18	For opening Court (or Court remaining open) after hours for urgent hearing	\$535 per hour or part of an hour

## Schedule 2—Fees in Criminal Division

1	On commencement of proceedings for summary applications, summary offences, minor indictable offences or indictable offences	\$108 plus if the complaint or information alleges more than one offence—\$27.25
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2	For making an enforcement order under the <i>Expiation of Offences Act 1996</i>	\$108
3	For issuing a warrant of commitment	\$29.50
4	For copy of evidence	\$5 per page
5	For copy of reasons for judgment (One copy will be supplied to a party to the proceedings free of charge.)	\$5 per page
6	For copy of any other document	\$2.20 per page
7	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 \$59 for each day or part of a day on which the proceedings were recorded.
8	For production of transcript at request of a party where the Court does not require the transcript	\$10 per page
9	For each request to search and inspect a record of the Court	\$9.50

### **Schedule 3—Revocation of *Magistrates Court (Fees) Regulations 1992***

#### **1—Revocation**

The *Magistrates Court (Fees) Regulations 1992* are revoked.

## Legislative history

### Notes

- Variations of this version that are uncommenced are not incorporated into the text.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes.

### Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2004	51	<i>Gazette 27.5.2004 p1447</i>	1.7.2004: r 2
2005	127	<i>Gazette 26.5.2005 p1609</i>	1.7.2005: r 2