

South Australia

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

under the *Magistrates Court Act 1991*

---

### **Contents**

- 1 Short title
- 3 Interpretation
- 4 Fees

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

Schedule 2—Fees in Criminal Division

Legislative history

---

### **1—Short title**

These regulations may be cited as the *Magistrates Court (Fees) Regulations 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	\$12.00
2	On commencement of minor civil action	\$79.00
3	On lodging a counterclaim or a third party notice in a minor civil action	\$79.00
4	On commencement of any other action under <i>Magistrates Court Act 1991</i>	\$149.00
5	On lodging a counterclaim or a third party notice in any other action under <i>Magistrates Court Act 1991</i>	\$149.00
6	For issuing and administering an investigation or examination summons under <i>Magistrates Court Act 1991</i>	\$30.35
7	On commencement of action under any other Act or issuing a summons on such action	\$79.00
8	On lodging a counterclaim or a third party notice in any action under any other Act	\$79.00
9	For publishing advertisement	actual costs reasonably incurred
10	For each request to search and inspect a record of the Court	\$9.80
11	For copy of evidence	\$5.00 per page
12	For copy of reasons for judgment (One copy will be supplied to a party to the proceedings free of charge.)	\$5.00 per page
13	For copy of any other document	\$2.30 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 \$60.50 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	\$10.00 per page
16	Taxation of costs: on lodging a bill of costs (other than in a minor civil action)	\$35.75
17	For opening Registry (or Registry remaining open) after hours for urgent execution of process	\$183.00 per hour or part of an hour
18	For opening Court (or Court remaining open) after hours for urgent hearing	\$551.00 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	\$111.00 plus if the complaint or information alleges more than one offence—\$28.00
---	---	---

**1.7.2005 to 30.6.2006—Magistrates Court (Fees) Regulations 2004**  
Fees in Criminal Division—Schedule 2

---

2	For making an enforcement order under the <i>Expiation of Offences Act 1996</i>	\$111.00
3	For issuing a warrant of commitment	\$30.50
4	For copy of evidence	\$5.00 per page
5	For copy of reasons for judgment (One copy will be supplied to a party to the proceedings free of charge.)	\$5.00 per page
6	For copy of any other document	\$2.30 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 \$60.50 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	\$10.00 per page
9	For each request to search and inspect a record of the Court	\$9.80

## 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.

### Legislation revoked by principal regulations

The *Magistrates Court (Fees) Regulations 2004* revoked the following:

*Magistrates Court (Fees) Regulations 1992*

### 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
<b>2005</b>	<b>127</b>	<b><i>Gazette 26.5.2005 p1609</i> erratum <i>Gazette 16.6.2005 p1830</i></b>	<b>1.7.2005: r 2</b>
2006	146	<i>Gazette 15.6.2006 p1902</i>	1.7.2006: r 2

### Provisions varied

New entries appear in bold.

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

Provision	How varied	Commencement
<i>r 2</i>	<i>omitted under the Legislation Revision and Publication Act 2002</i>	<i>1.7.2005</i>
<b>Schs 1 and 2</b>	<b>substituted by 127/2005 r 4</b>	<b>1.7.2005</b>
<i>Sch 3</i>	<i>omitted under the Legislation Revision and Publication Act 2002</i>	<i>1.7.2005</i>