

**NORTHERN TERRITORY OF AUSTRALIA**

**SUPREME COURT REGULATIONS**

As in force at 1 November 1993

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# NORTHERN TERRITORY OF AUSTRALIA

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As in force at 1 November 1993

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## SUPREME COURT REGULATIONS

### Regulations under the *Supreme Court Act*

#### 1 Citation

These Regulations may be cited as the *Supreme Court Regulations*.

#### 2 Definition

In these Regulations ***Taxing Master*** means the officer of the Court whose duty it is to tax costs in the Court.

#### 3 Prescribed fee for taxation of bill of costs by the Taxing Master

- (1) The prescribed fee for the taxing of a bill of costs by the Taxing Master is 7.5% of the amount allowed in relation to the whole bill, whether or not by consent of the parties.
- (2) The Taxing Master shall, immediately after he has allowed the amount in the bill of costs, specify the fee under subregulation (1) and add that fee to the amount allowed in the bill of costs.
- (2A) Where the Taxing Master commences to tax a bill but (for whatever reason) does not complete the taxation by allowing an amount in relation to the whole of the bill, then he or she may specify a reasonable amount on which the fee under subregulation (1) may be calculated, and this subregulation shall apply as if the amount specified were the amount allowed in relation to the whole bill.
- (3) Subject to subregulation (4), the fee under subregulation (1) shall become due and payable by the party whose costs have been allowed 28 days after the Taxing Master has allowed the amount in the bill of costs or on the relevant order under rule 63.45 of the Rules being authenticated and filed as referred to in subrule (5) of that rule, whichever first occurs.

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- (4) Where, under the Rules, a party in relation to a taxing of a bill of costs:
- (a) applies to the Taxing Master for a review of the amount allowed by the taxing officer in the bill of costs; or
  - (b) applies to a Court or a Judge at Chambers for an order to review the amount allowed by the Taxing Master in the bill of costs,

the fee under subregulation (1) shall not be due and payable until the expiration of 14 days after the determination of the application.

- (5) A party referred to in subregulation (3) who has paid the fee under subregulation (1) may recover the fee from the party liable for the payment of the bill of costs and that fee shall become due and payable by the party so liable immediately after the fee under subregulation (1) has been paid.

#### **4 Fees in respect of proceedings**

- (1) Subject to subregulation (2), the fees specified or calculated as provided in the Schedule are payable in respect of the relevant proceedings in the Court and the items specified in the Schedule, except:
- (a) such items in relation to:
    - (i) an adoption matter;
    - (ii) a case stated procedure;
    - (iii) a reference to the Full Court; or
    - (iv) a bail application or matter; or
  - (b) such fees in relation to proceedings by a person acting for or by authority of the Territory which, but for this exemption, would be payable by that person.
- (2) A fee shall be payable under subregulation (1) only in relation to a step taken or service provided on or after 1 January 1991.

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**Schedule**

regulation 4(1)

**FEES PAYABLE****IN RESPECT OF PROCEEDINGS  
IN THE COURT OF APPEAL**

Item 1	– filing of originating process (e.g. Notices of Appeal, Applications for leave to appeal or Extension of Time)	\$250.00
Item 2	– Notice of Cross Appeal	100.00
Item 3	– Searches (per search)	2.00
Item 4	– Photocopying fees: by Supreme Court staff – per page by solicitors/clerks – per page	.60 .30
Item 5	– Service fees (by bailiff/Deputy Sheriff)	30.00
Item 6	– Taxation fee – 7.5% of total costs allowed	

**IN RESPECT OF ALL OTHER PROCEEDINGS  
IN THE SUPREME COURT**

Item 1	– filing of all originating process (e.g. Writs, Originating Motions, Summons for Winding-up etc.)	\$150.00
Item 2	– setting down for hearing (e.g Notice of Trial and Notice of Trial for Assessment of Damages)	250.00
Item 3	– appeal from Master's decision	50.00
Item 4	– filing of writs for enforcement of judgment debts (e.g. Writs of Seizure and Sale etc.)	50.00
Item 5	– searches (e.g. file, index card probate etc. per search)	2.00

Schedule

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Item 6	– photocopying fees:	
	by Supreme Court staff – per page	.60
	by solicitors/clerks – per page	.30
Item 7	– service fees (by bailiff/Deputy Sheriff)	30.00
Item 8	– taxation fee – 7.5% of total costs allowed	

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**ENDNOTES**
**1 KEY**

Key to abbreviations

<b>amd = amended</b>	<b>od = order</b>
<b>app = appendix</b>	<b>om = omitted</b>
<b>bl = by-law</b>	<b>pt = Part</b>
<b>ch = Chapter</b>	<b>r = regulation/rule</b>
<b>cl = clause</b>	<b>rem = remainder</b>
<b>div = Division</b>	<b>renum = renumbered</b>
<b>exp = expires/expired</b>	<b>rep = repealed</b>
<b>f = forms</b>	<b>s = section</b>
<b>Gaz = Gazette</b>	<b>sch = Schedule</b>
<b>hdg = heading</b>	<b>sdiv = Subdivision</b>
<b>ins = inserted</b>	<b>SL = Subordinate Legislation</b>
<b>lt = long title</b>	<b>sub = substituted</b>
<b>nc = not commenced</b>	

**2 LIST OF LEGISLATION*****Supreme Court Regulations (SL No. 13, 1985)***

Notified	3 July 1985
Commenced	3 July 1985

***Amendments of Supreme Court Regulations (SL No. 53, 1990)***

Notified	21 December 1990
Commenced	21 December 1990

***Amendment of Supreme Court Regulations (SL No. 31, 1992)***

Notified	8 July 1992
Commenced	8 July 1992

***Amendments of the Supreme Court Regulations (SL No. 41, 1993)***

Notified	1 November 1993
Commenced	1 November 1993

**3 LIST OF AMENDMENTS**

r 2	sub No. 41, 1993, r 1
r 3	amd No. 41, 1993, r 2
r 4	ins No. 53, 1990
	amd No. 31, 1992
sch	ins No. 53, 1990