

NORTHERN TERRITORY OF AUSTRALIA

SUPREME COURT REGULATIONS

As in force at 1 July 1998

Table of provisions

1	Citation	1
2	Definition.....	1
3	Prescribed fee for taxation of bill of costs by the Taxing Master.....	1
4	Fees in respect of proceedings.....	2

Schedule

ENDNOTES

NORTHERN TERRITORY OF AUSTRALIA

As in force at 1 July 1998

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.

-
- (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

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.

Schedule

regulation 4

FEES PAYABLE**FOR 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)	\$500.00
Item 2	– Notice of Cross Appeal	200.00
Item 3	– Searches (per search)	4.00
Item 4	– Photocopying fees: by Supreme Court staff – per page by solicitors/clerks – per page	1.20 .60
Item 5	– Service fees (by bailiff/Deputy Sheriff)	60.00
Item 6	– Taxation fee – 7.5% of total costs allowed	

**FOR ALL OTHER PROCEEDINGS
IN THE SUPREME COURT**

Item 1	– filing of all originating process (e.g. Writs, Originating Motions, Summons for Winding-up)	\$300.00
Item 2	– setting down for hearing (e.g Notice of Trial and Notice of Trial for Assessment of Damages)	500.00
Item 3	– appeal from Master's decision	100.00
Item 4	– filing of writs for enforcement of judgment debts (e.g. Writs of Seizure and Sale)	100.00
Item 5	– searches (e.g. file, index card probate etc. per search)	4.00
Item 6	– photocopying fees: by Supreme Court staff – per page by solicitors/clerks – per page	1.20 .60

Schedule

Item 7	– service fees (by bailiff/Deputy Sheriff)	60.00
Item 8	– taxation fee – 7.5% of total costs allowed	

ENDNOTES
1**KEY**

Key to abbreviations

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exp = expires/expired	rep = repealed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

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

Amendments of Supreme Court Regulations (SL No. 13, 1998)

Notified	10 June 1998
Commenced	1 July 1998 (r 1)

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; No. 13, 1998, r 2
sch	ins No. 53, 1990
	sub No. 13, 1998, r 3