

**NORTHERN TERRITORY OF AUSTRALIA**

**LOCAL COURT REGULATIONS**

As in force at 30 May 2001

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# NORTHERN TERRITORY OF AUSTRALIA

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As in force at 30 May 2001

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## LOCAL COURT REGULATIONS

### Regulations under the *Local Court Act*

#### **1 Citation**

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

#### **2 Fees**

Subject to regulations 4 and 5, the fee payable for a procedure or matter specified in the Schedule is the fee specified in the Schedule opposite the procedure or matter.

#### **3 Time for payment of fees**

- (1) A fee specified in item 1, 2, 3 or 4 of the Schedule is payable to the Court:
  - (a) in the case of a fee specified in item 1 or 2 – at the time of filing; or
  - (b) in the case of a fee specified in item 3 or 4 – on demand by the Court.
- (2) A fee specified in item 5 or 6 is payable to the bailiff:
  - (a) in the case of a fee specified in item 5 – on demand by the bailiff after service; or
  - (b) in the case of a fee specified in item 6 – on execution of the warrant.

#### **4 Exemption from payment of fee**

- (1) Subject to subregulation (3), a person acting in a proceeding for or by the authority of the Territory is, in relation to that proceeding, exempt from payment of the fees specified in item 1 or 2 of the Schedule.

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- (2) A person exempt from payment of a fee under subregulation (1) is entitled to recover, as part of a judgment debt as if it were a cost incurred, an amount equal to the fee that would, but for that subregulation, have been payable.
  - (3) On recovery of the fee, the person must pay an amount equal to the fee to the Court.

**5 Waiver of fee in case of hardship**

If, in a particular case, the Registrar is of the opinion that the payment of a fee specified in item 1, 2, 3 or 4 of the Schedule would cause hardship to the plaintiff, applicant or party who must pay the fee, the Registrar may waive payment of the whole or a part of the fee.

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**Schedule Fees**

regulation 2

Item No.	Matter in respect of which fee is prescribed	Fee
1.	Filing	
(a)	Statement of claim or originating application under Part 7 of the Rules seeking monetary relief where the amount is:	
	(i) more than \$5 000 but less than \$10 000	\$160
	(ii) \$10 000 or more but less than \$20 000	\$188
	(iii) \$20 000 or more	\$255
	(iv) an unspecified amount	\$255
(b)	Statement of claim or originating application under Part 7 of the Rules other than a claim or application seeking monetary relief	\$160
(c)	Statement of claim or originating application under Part 7 of the Rules seeking relief other than monetary relief in addition to, or as an alternative to, monetary relief where the amount in addition to or as an alternative to relief is:	
	(i) more than \$5 000 but less than \$10 000	\$160
	(ii) \$10 000 or more but less than \$20 000	\$188
	(iii) \$20 000 or more	\$255
(d)	Application for an interpleader order under Part 14 of the Rules	\$80
(e)	Application for an order under Part 18 of the Rules seeking preliminary discovery or discovery from a non-party	\$80
(f)	Application for a re-hearing under Part 36 of the Rules	\$80
(g)	Notice of appeal under Part 37 of the Rules (not an appeal against a decision of a Registrar)	\$80
(h)	Application for the issue of a warrant	\$45
(j)	Application for an order under Chapter 2 of the Rules	\$45

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(k)	Any other application under an Act other than the <i>Local Court Act</i>	\$80
(m)	Judgment filed for registration under section 105 of the <i>Service and Execution of Process Act 1992</i> of the Commonwealth	\$60
2.	Taxation of costs	
	Filing a bill of costs under Part 38 of the Rules	\$338
3.	Orders	
	Certified copy of order under Part 35 of the Rules	\$60
4.	Inspection and copies	
(a)	Inspection under section 12(3) of the Act – per file	\$10
(b)	Photocopying by Court staff – per page	\$1.20
5.	Service	
	Bailiff fee for service under Division 2 of Part 4 of the Rules (for 2 attempts)	\$113
6.	Execution of Warrants	
(a)	Bailiff fee for execution of warrant of possession	\$120
(b)	Bailiff fee for execution of warrant of seizure and sale where the value of property to be seized is:	
(i)	less than \$5 000	\$80
(ii)	\$5 000 or more but less than \$20 000	\$120
(iii)	\$20 000 or more	\$160
(c)	Bailiff fee for execution of other warrants	\$60

## ENDNOTES

### 1

### KEY

Key to abbreviations

amd = amended  
app = appendix  
bl = by-law  
ch = Chapter  
cl = clause  
div = Division  
exp = expires/expired  
f = forms  
Gaz = Gazette  
hdg = heading  
ins = inserted  
lt = long title  
nc = not commenced

od = order  
om = omitted  
pt = Part  
r = regulation/rule  
rem = remainder  
renum = renumbered  
rep = repealed  
s = section  
sch = Schedule  
sdiv = Subdivision  
SL = Subordinate Legislation  
sub = substituted

### 2

### LIST OF LEGISLATION

#### ***Local Court Regulations (SL No. 39, 1998)***

Notified 7 October 1998  
Commenced 7 October 1998

#### ***Amendments of Local Court Regulations (SL No. 10, 2000)***

Notified 1 March 2000  
Commenced 1 March 2000

#### ***Amendment of Local Court Regulations (SL No. 23, 2001)***

Notified 30 May 2001  
Commenced 30 May 2001

### 3

### LIST OF AMENDMENTS

r 3 sub No. 10, 2000, r 3  
r 5 amd No. 10, 2000, r 4  
sch amd No. 10, 2000, r 5; No. 23, 2001