

# **NORTHERN TERRITORY OF AUSTRALIA**

## **LOCAL COURT REGULATIONS**

As in force at 1 November 2002

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### **Schedule      Fees**

#### **ENDNOTES**



# NORTHERN TERRITORY OF AUSTRALIA

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As in force at 1 November 2002

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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.	Fee (revenue units)
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
(iv) an unspecified amount	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	80

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	(h)	Application for the issue of a warrant	45
	(j)	Application for an order under Chapter 2 of the Rules	45
	(k)	Any other application under an Act other than the <i>Local Court Act</i> or a provision of any other Act as specified in this Schedule	80
	(l)	Application for an assistance certificate under section 5 of the <i>Crimes (Victims Assistance) Act</i>	160
	(m)	Judgment filed for registration under section 105 of the <i>Service and Execution of Process Act 1992</i> (Cth)	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

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## ENDNOTES

### 1 KEY

Key to abbreviations

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 = repealed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

### 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

***Amendments of Local Court Regulations (SL No. 45, 2002)***

Notified	1 November 2002
Commenced	1 November 2002

### 3 LIST OF AMENDMENTS

r 3	sub No. 10, 2000, r 3
r 5	amd No. 10, 2000, r 4; No. 36, 2006, r 9
sch	amd No. 10, 2000, r 5; No. 23, 2001; No. 45, 2002, r 2