

NORTHERN TERRITORY OF AUSTRALIA

LOCAL COURT REGULATIONS

As in force at 1 October 1998

Table of provisions

1	Citation	1
2	Fees	1
3	Time for payment of fees	1
4	Exemption from payment of fee.....	1
5	Waiver of fee in case of hardship	2

Schedule Fees

ENDNOTES

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As in force at 1 October 1998

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

A fee specified in 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 any other case – on demand by the Court.

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.
- (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 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.

Schedule Fees

regulation 2

Item No.	Matter in respect of which fee is prescribed	Fee
1.	Filing	
(a)	Statement of claim under Part 7 of the Rules seeking monetary relief where the amount is:	
	(i) more than \$5 000 but less than \$10 000	\$150
	(ii) \$10 000 or more but less than \$20 000	\$188
	(iii) \$20 000 or more	\$255
(b)	Statement of claim under Part 7 of the Rules other than a claim seeking monetary relief	\$160
(c)	Statement of claim 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 under Part 29 or Chapter 2 of the Rules	\$45
(j)	Application for an order under Chapter 2 of the Rules, other than an application under Part 50 for an order relating to the payment of a judgment debt by instalments	\$30

(k)	Application under the following Acts: <i>Absconding Debtors Act; Consumer Affairs and Fair Trading Act, Warehousemen's Liens 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