

**NORTHERN TERRITORY OF AUSTRALIA**  
**SUPREME COURT AMENDMENT (WAIVER AND DEFERRAL OF FEES)**  
**RULES 2013**

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**Subordinate Legislation No. 38 of 2013**

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# NORTHERN TERRITORY OF AUSTRALIA

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## Subordinate Legislation No. 38 of 2013\*

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### ***Supreme Court Amendment (Waiver and Deferral of Fees) Rules 2013***

We, the undersigned Judges of the Supreme Court of the Northern Territory of Australia, under section 86 of the *Supreme Court Act*, make the following Rules of Court.

Dated 26 September 2013

T. J. RILEY CJ

S. R. SOUTHWOOD J

J. BLOKLAND J

J. KELLY J

P. BARR J

G. HILEY J

Judges of the Supreme Court  
of the Northern Territory of Australia

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\* Notified in the *Northern Territory Government Gazette* on 6 November 2013.

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**1 Citation**

These Rules may be cited as the *Supreme Court Amendment (Waiver and Deferral of Fees) Rules 2013*.

**2 Rules amended**

These Rules amend the *Supreme Court Rules*.

**3 Rule 25.01A inserted**

Before rule 25.01

*insert*

**25.01A Application of order**

This Order applies subject to rule 97.02.

**4 Rule 84.15 amended**

Rule 84.15(1)

*omit*

An

*insert*

Subject to rule 97.02, an

**5 Chapter 12 inserted**

After rule 96.02

*insert*

**Chapter 12 Matters relating to fees**

**97.01 Form of application for waiver or deferral of fee**

An application to the Registrar to waive, defer or permit a party to pay a fee in instalments under regulation 5 of the Regulations must be:

- (a) made in the form approved by the Registrar; and
- (b) accompanied by a written undertaking, given by the applicant, to notify the Registrar of any settlement or judgment in the matter.

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**97.02 Fee waiver – requirement for certificate of Registrar**

- (1) This rule applies if, under regulation 5 of the Regulations, the Registrar waives the payment of a fee by a party to a proceeding.
- (2) Unless the Registrar (or a person acting on behalf of the Registrar) certifies that all fees required to be paid by the party have been paid:
  - (a) a notice of discontinuance of the proceeding by the party must not be accepted for filing; and
  - (b) a judgment or order in relation to the proceeding must not be authenticated.