

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

Subordinate Legislation No. 38 of 2013

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NORTHERN TERRITORY OF AUSTRALIA

Subordinate Legislation No. 38 of 2013*

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

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

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.

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.