

NORTHERN TERRITORY OF AUSTRALIA
COURTS LEGISLATION AMENDMENT (REVENUE UNITS)
REGULATIONS 2006

Subordinate Legislation No. 36 of 2006

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NORTHERN TERRITORY OF AUSTRALIA

Subordinate Legislation No. 36 of 2006*

Courts Legislation Amendment (Revenue Units) Regulations 2006

I, EDWARD JOSEPH EGAN, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the following Acts:

Fines and Penalties (Recovery) Act;
Justices Act;
Local Court Act;
Sheriff Act;
Small Claims Act;
Supreme Court Act.

Dated 2 November 2006.

E. J. EGAN
Administrator

By His Honour's Command

CLARE MARTIN
Chief Minister
acting for the
Minister for Justice and Attorney-General

* Notified in the *Northern Territory Government Gazette* on 8 November 2006.

PART 1 – PRELIMINARY MATTERS

1. Citation

These Regulations may be cited as the *Courts Legislation Amendment (Revenue Units) Regulations 2006*.

PART 2 – AMENDMENT OF *FINES AND PENALTIES (RECOVERY) REGULATIONS*

2. Regulations amended

This Part amends the *Fines and Penalties (Recovery) Regulations*.

3. Amendment of regulation 5 (Courtesy letter)

Regulation 5

omit

\$20

substitute

20 revenue units

4. Amendment of Schedule 3

(1) Schedule 3

omit

(inc GST)

substitute

(revenue units)

(2) Schedule 3

omit (all references)

\$50

substitute

50

- (3) Schedule 3

omit

\$100

substitute

100

- (4) Schedule 3

omit

\$125

substitute

125

5. Amendment of Schedule 5

Schedule 5, Form 1, before "**FINANCIAL INFORMATION**"

insert

Attach original or certified copies of documents in support of your income and expenditure.

PART 3 – AMENDMENT OF *JUSTICES REGULATIONS*

6. Regulations amended

This Part amends the *Justices Regulations*.

7. Amendment of regulation 6 (Fees)

- (1) Regulation 6(1)(a) and (c)

omit

\$10

substitute

10 revenue units

- (2) Regulation 6(1)(d)(ii)

omit

\$20

substitute

20 revenue units

- (3) Regulation 6(1)(f)

omit

\$10

substitute

10 revenue units

PART 4 – AMENDMENT OF LOCAL COURT REGULATIONS

8. Regulations amended

This Part amends the *Local Court Regulations*.

9. Amendment of regulation 5 (Waiver of fee in case of hardship)

Regulation 5, after "cause"

insert

financial

10. Repeal and substitution of Schedule

Schedule

repeal, substitute

SCHEDULE

Regulation 2

FEES

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	176
	(ii) \$10 000 or more but less than \$20 000	280
	(iii) \$20 000 or more	350
	(iv) an unspecified amount	350
	(b) Statement of claim or originating application under Part 7 of the Rules other than a claim or application seeking monetary relief	176
	(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	176
	(ii) \$10 000 or more but less than \$20 000	280
	(iii) \$20 000 or more	350
	(iv) an unspecified amount	350
	(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

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(f)	Application for a re-hearing under Part 36 of the Rules	80
(g)	Notice of appeal under Part 37 of the Rules	80
(h)	Application for the issue of a warrant	45
(i)	Application for an order under Chapter 2 of the Rules	45
(j)	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
(k)	Application for an assistance certificate under section 5 of the <i>Crimes (Victims Assistance) Act</i>	160
(l)	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	
	Inspection under section 12(3) of the Act – per file	10
5.	Service	
	Bailiff fee for service under Part 4, Division 2 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

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(iii)	\$20 000 or more	160
(c)	Bailiff fee for execution of other warrants	60

		Fee (\$)
7.	Photocopying	
	Photocopying by Court staff – per page	1.20

PART 5 – AMENDMENT OF *SHERIFF REGULATIONS*

11. Regulations amended

This Part amends the *Sheriff Regulations*.

12. Amendment of Schedule

- (1) Schedule, items 1 and 2

omit

\$113

substitute

113 revenue units

- (2) Schedule, items 5 and 6

omit

\$160

substitute

160 revenue units

- (3) Schedule, item 11

omit

\$125

substitute

125 revenue units

- (4) Schedule, item 14

omit (all references)

\$50

substitute

50 revenue units

PART 6 – AMENDMENT OF SMALL CLAIMS REGULATIONS

13. Regulations amended

This Part amends the *Small Claims Regulations*.

14. Amendment of regulation 3 (Fee for filing document)

- (1) Regulation 3(1)

omit

\$65

substitute

72 revenue units

- (2) Regulation 3(2)

omit

\$50

substitute

50 revenue units

15. Amendment of regulation 8 (Waiver of fee in case of hardship)

Regulation 8, after "cause"

insert

financial

PART 7 – AMENDMENT OF SUPREME COURT REGULATIONS

16. Regulations amended

This Part amends the *Supreme Court Regulations*.

17. New regulation 5

After regulation 4

insert

5. Waiver of fee in case of financial hardship

If, in a particular case, a Registrar is of the opinion that the payment of a fee specified in the Schedule would cause financial hardship to the party who must pay the fee, the Registrar may waive payment of the whole or a part of the fee.

18. Repeal and substitution of Schedule

Schedule

repeal, substitute

SCHEDULE

Regulation 4

PART 1 – FEES PAYABLE FOR PROCEEDINGS IN THE COURT OF APPEAL

Item No.		Fee (revenue units)
1.	Filing of originating process	500
2.	Notice of cross appeal	200
3.	Service (by the sheriff or an officer of the sheriff)	The relevant fee specified in the Schedule to the <i>Sheriff Regulations</i>
		Fee (\$)
4.	Searches (per search)	4
5.	Photocopying (per page):	
	(a) by Supreme Court staff	1.20
	(b) by solicitors/clerks	0.60

PART 2 – FEES PAYABLE FOR ALL OTHER PROCEEDINGS IN THE SUPREME COURT

Item No.		Fee (revenue units)
1.	Filing of all originating process	
	(a) if the fee is payable by a body corporate	1 200
	(b) in any other case	900
2.	Setting down for hearing	500
3.	Appeal from Master's decision	100
4.	Filing of writs for enforcement of judgment debts	100
5.	Service (by the sheriff or an officer of the sheriff)	The relevant fee specified in the Schedule to the <i>Sheriff Regulations</i>
		Fee (\$)
6.	Searches (per search)	4
7.	Photocopying (per page):	
	(a) by Supreme Court staff	1.20
	(b) by solicitors/clerks	0.60