

FEDERAL COURT OF AUSTRALIA

Fees payable from 1 July 2016

**Filing and other fees prescribed in Schedule 1 – Part 1
Federal Court and Federal Circuit Court Regulation 2012**

Notes:

1. Other than for items 112, 113, 121A and 127:
 - (a) “corporation” includes a publicly listed company and any other corporation; and
 - (b) public authorities, small businesses and not-for-profit associations are regarded as “other”
2. For items 112, 113, 121A and 127, publicly listed companies pay the highest rate of fees, corporations and public authorities both pay the middle rate and all others pay the lowest rate
3. Some court fees may be exempted or payment time deferred in some circumstances
4. Court fees are GST exempt
5. Fees (other than 102, 103, 104, 107 and 124) subject to biennial increase

Schedule Item No.	Document or Service	Fee	
		Corporation	Other
101	Filing of a document by which a proceeding in the Federal Court is commenced, other than: (a) a proceeding or application mentioned in items 102 to 104, 112, 113 or 115 to 115B; or (b) an appeal from a judgment of a court; or (c) an application for leave or special leave to appeal; or (d) an incidental proceeding in the course of, or in connection with, a proceeding; or (e) an application under the <i>Trans-Tasman Proceeding Act 2010</i>	3,745.00	1,290.00
102	Filing of an application under section 46PO or 46PP of the <i>Australian Human Rights Commission Act 1986</i>	55.00	55.00
103	Filing of an application under section 539 of the <i>Fair Work Act 2009</i> in either of the following circumstances: (a) the applicant has been dismissed from employment in alleged contravention of Part 3-1 of that Act; (b) the applicant alleges a breach of section 351 of that Act	The fee prescribed for subsection 395(2) of the <i>Fair Work Act 2009</i> for the filing of the application [currently 69.60]	
104	Filing of an application under section 539 of the <i>Fair Work Act 2009</i> if the applicant has been dismissed from employment in alleged contravention of section 772 of that Act	The fee prescribed for subsection 395(2) of the <i>Fair Work Act 2009</i> for the filing of the application [currently 69.60]	
		Corporation	Other
105	Filing of a bill of costs	415.00	415.00
106	Filing an affidavit or other document originating an application for leave or special leave to appeal	3,735.00	1,730.00
107	Filing of a notice of appeal commencing an appeal from a judgement of a court if no fee has been paid under item 106	9,340.00 [The total of the fees in items 106 and 109 payable by a corporation]	4,325.00 [The total of the fees in items 106 and 109 payable by “other”]

Schedule Item No.	Document or Service	Fee		
		Corporation	Other	
108	Filing of a notice of appeal commencing an appeal from a decision of the Administrative Appeals Tribunal	9,335.00	4,325.00	
109	Filing of a notice of appeal in a proceeding in relation to which a fee has been paid under item 106	5,605.00	2,595.00	
110	Filing of an application to review a decision of the Registrar of the Federal Court under subsection 35A(5) of the Federal Court Act	1,525.00	625.00	
111	Filing of: (a) an interlocutory application, other than an interlocutory application mentioned in another item; or (b) an application under the <i>Trans-Tasman Proceeding Act 2010</i> , other than an application mentioned in item 115C	1,150.00	465.00	
		Publicly listed company	Corporation/ Public Authority	Other
112	Filing of a document by which a proceeding in the Federal Court under the <i>Bankruptcy Act 1966</i> is commenced	5,210.00	3,475.00	1,445.00
113	Filing of an application for an order for substituted service of a bankruptcy notice	1,160.00	770.00	320.00
		Corporation	Other	
114	Filing of a cross-claim	3,745.00	1,290.00	
115	Filing of an urgent application without notice, by a person (the prospective applicant) who intends to commence a proceeding, for any of the following: (a) if the proceeding relates to property — an order: (i) for the detention, custody, preservation or inspection of property; or (ii) to authorise a person to enter land, or do an act or thing, to give effect to the order; (b) if the proceeding relates to the right of the prospective applicant to an amount in a fund — an order that the amount in the fund be paid into the Federal Court or otherwise secured	6,555.00	2,380.00	
115A	Filing of an application, including an interlocutory application, for an order: (a) restraining a person from removing, disposing of, dealing with, or diminishing the value of, assets; or (b) for the purposes of preventing the frustration or inhibition of the Court's process by seeking to meet a danger that a judgement or prospective judgement of the Court will be wholly or partly unsatisfied	6,555.00	2,380.00	
115B	Filing of an application, including an interlocutory application, for an order for the purpose of securing or preserving evidence and requiring a person to permit other persons to enter premises for the purpose of securing the preservation of evidence that is, or may be, relevant to an issue in a proceeding or anticipated proceeding	6,555.00	2,380.00	

Schedule Item No.	Document or Service	Fee		
		Corporation	Other	
115C	Filing of an application to register a New Zealand judgment under the <i>Trans-Tasman Proceedings Act 2010</i>	115.00	115.00	
116	Setting down for hearing a proceeding (including an application, appeal, cross-claim or cross-appeal) or an issue in question in a proceeding	6,250.00	2,570.00	
117	For the hearing of an application (including a cross-claim) under subsection 35A(5) of the Federal Court Act — for each day or part of a day	2,500.00	1,020.00	
118	For the hearing of an application (including a cross-claim) other than: (a) an application mentioned in item 117; or (b) an issue or question in such an application; or (c) an appeal (including a cross-appeal); for the 2 nd , 3 rd and 4 th days, or part of those days	2,500.00	1,020.00	
119	For the hearing of an application (including a cross-claim) other than: (a) an application mentioned in item 117; or (b) an issue or question in such an application; or (c) an appeal (including a cross-appeal); for the 5 th , 6 th , 7 th , 8 th and 9 th days, or part of those days	4,500.00	1,705.00	
120	For the hearing of an application (including a cross-claim) other than: (a) an application mentioned in item 117; or (b) an issue or question in such an application; or (c) an appeal (including a cross-appeal); for the 10 th , 11 th , 12 th , 13 th and 14 th days or part of those days	8,875.00	3,430.00	
121	For the hearing of an application (including a cross-claim) other than: (a) an application mentioned in item 117; or (b) an issue or question in such an application; or (c) an appeal (including a cross-appeal); for the 15 th and subsequent days, or part of the 15 th and subsequent days	13,315.00	5,145.00	
		Publicly listed company	Corporation/ Public Authority	Other
121A	For the hearing for an examination by a Registrar of the Federal Court under section 50 or 81 of the <i>Bankruptcy Act 1966</i> - for each day or part of a day	3,755.00	2,500.00	1,020.00
122	For the hearing for an examination by a Registrar of the Federal Court under Division 1 of Part 5.9 of the <i>Corporations Act 2001</i> - for each day or part of a day	2,500.00	1,020.00	
123	On request, production of file of the Federal Court and the making of a copy or copies of a document or documents in the file (regardless of the number of documents to which the request relates)	(a) for the production of the file (b) for each page included in a copy made in accordance with the request	50.00 1.00	

Schedule Item No.	Document or Service	Fee		
		Corporation	Other	
124	For each service or execution, or attempted service or execution, of process of the Federal Court by an officer of the Federal Court	An amount equal to: (a) the amount of any expenses reasonably incurred by the officer in the service or execution, or attempted service or execution, of the process; and (b) a charge worked out at the hourly rate of salary payable to the officer for the time involved in the service or execution, or attempted service or execution		
		Corporation	Other	
125	For the seizure and sale of goods by an officer of the Federal Court in the execution of the process of the court (except in relation to a proceeding under the <i>Admiralty Act 1988</i>)	1,120.00	1,120.00	
126	For issuing a subpoena	215.00	110.00	
		Publicly listed company	Corporation/ Public Authority	Other
127	For issuing a summons to a person, under section 50 or 81 of the Bankruptcy Act 1966, to attend examination about a debtor's examinable affairs	720.00	470.00	235.00
		Corporation	Other	
128	For taxation of a bill of costs in which the amount claimed in the bill is \$10,000 or less	1,220.00	1,220.00	
129	For taxation of a bill of costs in which the amount claimed in the bill is more than \$10,000 and no more than \$100,000	4,175.00	4,175.00	
130	For taxation of a bill of costs in which the amount claimed in the bill is more than \$100,000 and no more than \$500,000	4,765.00	4,765.00	
131	For taxation of a bill of costs in which the amount claimed in the bill is more than \$500,000	5,365.00	5,365.00	
132	For mediation by an officer of the Federal Court — for each attendance at the mediation	1,955.00	835.00	