



DEPARTMENT OF JUSTICE

LOCAL COURT FEES

EFFECTIVE FROM 21 JANUARY 2003

**LOCAL COURT FEES
EFFECTIVE FROM 21 JANUARY 2003**

(To be read in conjunction with Local Court Rules and Schedules thereto)

DESCRIPTION OF PROCESS	Value of Claim not exceeding \$5,000	Over \$5,000 and not exceeding \$10,000	Over \$10,000	REMARKS
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INITIATING PROCESS (ENTRY OF PLAINT)

FOR ENTERING ANY PLAINT, INCLUDING AN ACTION FOR A SMALL DEBT

Court Fee (Entry Plaintiff)	44.00	90.00	178.00	
Suitor's Fund Fee (on Entry Plaintiff)	0.20	0.20	0.20	
Bailiff Service	17.25	17.25	17.25	Plus travelling
Bailiff Service (GST payable) (for each Defendant)	19.00	19.00	19.00	Plus travelling
Service by Post (for each Defendant)	16.00	16.00	16.00	

SOLICITOR'S COSTS	Value of claim not exceeding \$3,000	Exceeding \$3,000
Solicitor's Costs (if any) (regardless of number of defendants)	\$81.00	\$139.00

FOR COMMENCING PROCEEDINGS UNDER THE MWSS&D ACT PART VIII (6)(iii), FOR EACH PARCEL OF LAND

Court Fee	44.00	90.00	178.00	Includes filing of Certificates of rate unpaid, advertisement in Gov. Gazette, issue of notices & service by registered post.
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FOR FILING ANY ORIGINATING SUMMONS

Court Fee	44.00	90.00	178.00
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DESCRIPTION OF PROCESS	Value of Claim not exceeding \$6,000	REMARKS
<u>RESIDENTIAL TENANCIES APPLICATION</u>		
Court Fee Financially disadvantaged person	19.50	
Other person	26.50	
Suitor's Fund Fee	0.20	
Bailiff Service	17.25	Plus travelling
Bailiff Service (GST payable) (for each Respondent)	19.00	Plus travelling

DESCRIPTION OF PROCESS	Annual Value of Rent not exceeding \$5,000	Over \$5,000 and not exceeding \$10,000	Over \$10,000	REMARKS
<u>SUMMONS FOR RECOVERY</u>				
<u>POSSESSION OF LAND -</u>				
Court Fee (Entry Plaintiff)	44.00	90.00	178.00	
Suitor's Fund Fee	0.20	0.20	0.20	
Bailiff Service	17.25	17.25	17.25	Plus travelling
Bailiff Service (GST payable) (for each Defendant)	19.00	19.00	19.00	Plus travelling
Bailiff's attendance	2.60	2.60	2.60	
Bailiff's attendance (GST payable)	2.85	2.85	2.85	
HEARING FEE	55.00	111.00	189.00	

SOLICITOR'S COSTS			
Solicitor's Costs (if any) (undefended, including appearance) - see also under trial		\$350.00	

DESCRIPTION OF PROCESS

JUDGMENT

ENTRY OF JUDGMENT

- BY DEFAULT

SOLICITOR'S COSTS	
Solicitor's Costs (if any)	\$23.00

CERTIFICATE OF JUDGMENT

- ISSUE

SOLICITOR'S COSTS	
(Issuing) Solicitor's Costs (if any)	\$37.00

JUDGMENT

- REGISTRATION OF (including those under the Service & Execution of Process Act)

SOLICITOR'S COSTS	
(Registration) Solicitor's Costs (if any)	\$122.00

DESCRIPTION OF PROCESS	Value of Claim not exceeding \$5,000	Over \$5,000 and not exceeding \$10,000	Over \$10,000	REMARKS
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PROCESSES RELATING TO DEFENCE, SET-OFF OR COUNTERCLAIM

GENERAL DIVISION & SMALL DEBTS

On filing Notice of Defence Set-Off or Counterclaim.

Court Fee	34.00	34.00	34.00	One fee payable irrespective of number of defendants.
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and including -

(a) filing all necessary applications and affidavits including applications in Chambers, interrogatories or discovery (including replies thereto)				Solicitors costs are subject to order or taxations - see appropriate scale in Rules of Court
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(b) all necessary witness summonses				
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(c) appointment to tax costs (but not including taxing fee payable on amount of Bill filed for taxation)				
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and where Set-Off or Counter-claim involved, the hearing fee, and entry of judgment on Set-Off or Counter-claim.

Bailiff Service	17.25	17.25	17.25	Plus travelling
Bailiff Service (GST payable) (where necessary)	19.00	19.00	19.00	Plus travelling

RESIDENTIAL TENANCIES

Notice of Intention to Dispute Application under Clause 8.				\$18.00 in all instances
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DESCRIPTION OF PROCESS	Judgment or balance of Jmt not exceeding \$5,000	Over \$5,000 and not exceeding \$10,000	Over \$10,000	REMARKS
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PROCESSES RELATING TO TRIAL

HEARING FEES

(Ordinary)

Payable only where the person applying is the plaintiff.

Court Fee 55.00 111.00 189.00

To be paid before action called on in Court.

Bailiff's attendance 2.60 2.60 2.60

Bailiff attendance fee is also payable for each

Bailiff's attendance (GST payable) 2.85 2.85 2.85

adjourned hearing.

Hearing fee (payable where the action is not an action for small debts or residential tenancies proceedings, upon application to list for trial or other application consequential upon filing of defence) including -

Solicitors costs subject to order or taxation - see appropriate scale.

(a) filing all necessary applications and affidavits including applications in Chambers, interrogatories or discovery (including replies thereto)

(b) Pre-trial conference, Trial of defended action or Assessment of Damages

(c) hearing of Recovery of Possession applications

(d) application for new trial

(e) appointment to tax costs (but not including taxing fee payable on amount of Bill filed for taxation)

SUMMARY JUDGMENT

Applications pursuant to S.47A

Court Fee 44.00 89.00 133.00

DESCRIPTION OF PROCESS	Judgment or balance of Jmt not exceeding \$5,000	Over \$5,000 and not exceeding \$10,000	Over \$10,000	REMARKS
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PROCESSES RELATING TO ENFORCEMENT PROCEEDINGS

Court Fee Enforcement proceedings of any kind, including warrant under the MWSS&D Act or Restraint of Debtors Act.	22.00	44.00	89.00	Only one fee is payable for the issue of any one or more processes.
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JUDGMENT SUMMONS

Bailiff Service	24.00	24.00	24.00	Plus travelling
Bailiff Service (GST payable) (for each Defendant)	26.40	26.40	26.40	Plus travelling

ATTENDANCE on a Judgment Summons hearing or related matter- **\$2.20** If GST payable
\$2.40

Conduct money paid ACCORDING TO THE
CIRCUMSTANCES

SOLICITOR'S COSTS	
(including all incidental attendances by solicitor or clerk)	\$116.00

WARRANT OF EXECUTION

Bailiff Warrant Fee	46.00	46.00	46.00	Plus travelling
Bailiff Warrant Fee (GST payable)	50.60	50.60	50.60	Plus travelling

SOLICITOR'S COSTS	
Solicitor's Costs (if any) against goods	\$37.00
Solicitor's Costs (if any) against land and goods	\$75.00

DESCRIPTION OF PROCESS	Judgment or balance of Jmt not exceeding \$5,000	Over \$5,000 and not exceeding \$10,000	Over \$10,000	REMARKS
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WARRANT OF POSSESSION

Bailiff Warrant Fee	46.00	46.00	46.00	Plus travelling
Bailiff Warrant Fee (GST payable)	50.60	50.60	50.60	Plus travelling

Bailiffs Poundage - 5% or if GST payable 5.5% on the annual rental value of property as fixed by the clerk, but the amount chargeable under this item shall not exceed \$175.00 or if GST payable \$192.50. (to be **prepaid** and held by the Court)

SOLICITOR'S COSTS				
Solicitor's Costs (if any)			\$37.00	

WARRANT OF DELIVERY

Bailiff Warrant Fee	46.00	46.00	46.00	Plus travelling
Bailiff Warrant Fee (GST payable)	50.60	50.60	50.60	Plus travelling

Bailiffs Poundage - 5% or if GST payable 5.5% on the first \$10,000 & 2.5% or if GST payable 2.75% on the balance of the value of the property delivered as fixed by the clerk, (to be **prepaid** and held by the Court)

SOLICITOR'S COSTS				
Solicitor's Costs (if any)			\$37.00	

DESCRIPTION OF PROCESS	Judgment or balance of Jmt not exceeding \$5,000	Over \$5,000 and not exceeding \$10,000	Over \$10,000	REMARKS
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WARRANT OF REPLEVIN

Bailiff Warrant Fee	46.00	46.00	46.00	Plus travelling
Bailiff Warrant Fee (GST payable)	50.60	50.60	50.60	Plus travelling

Bailiffs Poundage - 5% or if GST payable 5.5% on the first \$10,000 & 2.5% or if GST payable 2.75% on the balance of the value of the property delivered as fixed by the clerk, (to be **prepaid** and held by the Court)

SOLICITOR'S COSTS				
Solicitor's Costs (if any)			\$37.00	

ORDER OF COMMITMENT

Bailiff Warrant Fee	46.00	46.00	46.00	Plus travelling
Bailiff Warrant Fee (GST payable)	50.60	50.60	50.60	Plus travelling

SOLICITOR'S COSTS				
Solicitor's Costs (if any)			\$37.00	

DESCRIPTION OF PROCESS	Judgment or balance of Jmt not exceeding \$5,000	Over \$5,000 and not exceeding \$10,000	Over \$10,000	REMARKS
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BENCH WARRANT/CHAMBER WARRANT

Bailiff Warrant Fee	46.00	46.00	46.00	Plus travelling
Bailiff Warrant Fee (GST payable)	50.60	50.60	50.60	Plus travelling

SOLICITOR'S COSTS				
Solicitor's Costs (if any)			\$37.00	

GARNISHEE PROCEEDINGS

NOTE: If Hearing fee hasn't previously been collected	55.00	111.00	189.00	Bailiff's fees and travelling where applicable.
Bailiff's Attendance	2.60	2.60	2.60	
Bailiff's Attendance (GST payable)	2.85	2.85	2.85	

SOLICITOR'S COSTS				
Solicitor's Costs (if any) (where uncontested) - see also under trial			\$262.00	

DESCRIPTION OF PROCESS	Judgment or balance of Jmt not exceeding \$5,000	Over \$5,000 and not exceeding \$10,000	Over \$10,000	REMARKS
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INTERPLEADER

Bailiff's Attendance	2.60	2.60	2.60	Issued on application of Bailiff.
Bailiff's Attendance (GST payable)	2.85	2.85	2.85	

SOLICITOR'S COSTS	Judgment or balance of Jmt not exceeding \$3,000	Exceeding \$3,000
Solicitor's Costs (if any) - see also under trial	\$87.00	\$140.00

EXAMINATION IN AID OF EXECUTION

Bailiff Service)	24.00	24.00	24.00	Plus travelling
Bailiff Service (GST payable)	26.40	26.40	26.40	Plus travelling
Conduct Money	ACCORDING TO THE CIRCUMSTANCES			
Bailiff's Attendance (Where necessary)	2.20	2.20	2.20	
Bailiff's Attendance (GST payable) (Where necessary)	2.40	2.40	2.40	

SOLICITOR'S COSTS	
(including all incidental attendances by solicitor or clerk)	\$116.00

DESCRIPTION OF PROCESS	Judgment or balance of Jmt not exceeding \$5,000	Over \$5,000 and not exceeding \$10,000	Over \$10,000	REMARKS
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MISCELLANEOUS

CHAMBER WARRANT (see under Bench Warrant)

CHAMBER SUMMONS

Solicitor's costs (if any) will be fixed by Magistrate.

Add Bailiff's service fee and travelling.
If lodged by the Plaintiff hearing fee to be paid, if not previously paid.
If lodged by the defendant defence fee to be paid if not previously paid.

OTHER

Filing Affidavits, Motions, Orders or Notices (not otherwise specified).

If for service add Bailiff's service fee and travelling. When appropriate Bailiff's Attendance to be collected.

Search Fee

10.00

10.00

10.00

But where search made by recognised service approved by A.G. \$1.00.

Issuing of any duplicate document or order under Order 38 Rule 21 or 22.

12.00

12.00

12.00

Examination of Witnesses de bene esse before Clerk -

- for first hour or part thereof

16.00

31.00

47.00

- for every subsequent hour or part thereof

10.00

21.00

31.00

DESCRIPTION OF PROCESS	Judgment or balance of Jmt not exceeding \$5,000	Over \$5,000 and not exceeding \$10,000	Over \$10,000	REMARKS
Copies of Transcript of Proceeding or Notes of Evidence supplied to a party to the proceedings -				
• per page	4.00	4.00	4.00	
• second & subsequent copies per page	1.00	1.00	1.00	When supplied to same applicant.
• minimum charge	13.00	13.00	13.00	
• photocopies of other documents per page	1.00	1.00	1.00	<i>An additional fee of \$5.00 is to be paid per document for certifying that the document is a true copy.</i>
For an application for production of records or documents that are required to be produced to any court or tribunal (including an umpire or arbitrator).	10.00	20.00	40.00	
If an officer is required to attend at any Court or place out of the Court building -				
• for each hour or part of an hour which he is necessarily absent from his office, and in addition	20.00	20.00	20.00	
• his reasonable expenses				

DESCRIPTION OF PROCESS	Judgment or balance of Jmt not exceeding \$5,000	Over \$5,000 and not exceeding \$10,000	Over \$10,000	REMARKS
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TAXATION OF COSTS

(1) Amount of Bill NOT EXCEEDING \$1,000

Court Fee (taxation)	5¢ for each \$1.00 of the amount of the filed bill (exclude fractions of \$1.00) MINIMUM CHARGE \$10.00	Add Bailiff fee and travelling (if any) if Bill to be served by Bailiff.
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(2) Amount of Bill EXCEEDS \$1,000

Court Fee (taxation)	I. \$50.00, PLUS II. 0.025¢ in every \$1.00 for amount in excess of \$1,000
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SOLICITOR'S COSTS	Judgment not exceeding \$3,000	Judgment Exceeding \$3,000
Drawing Bill of Costs, copies and service Solicitor's Costs (if any) - for each bill	\$37.00	\$105.00
Attending on Taxation of costs		
- with an appearance by solicitor	\$87.00	\$87.00
- with an appearance by clerk	\$37.00	\$37.00

OTHER PROCEEDINGS

(a) Lodging Notice of Appeal, Notice of Motion, Application or other document initiating proceedings.	55.00	111.00	189.00	Includes Hearing fee, Summons to Witness and issue of Order.
(b) Stating case for Supreme Court.	84.00	84.00	84.00	
Bailiff's Attendance (where necessary)	2.60	2.60	2.60	
Bailiff's Attendance GST payable (where necessary)	2.85	2.85	2.85	

RESTRAINT OF DEBTORS

(a) Application for Warrant/Summons	55.00	111.00	189.00	
(b) Enforcement Fee	22.00	44.00	89.00	
(c) Warrant Fee	46.00	46.00	46.00	Travelling one way from nearest Police Station. Fee paid to Revenue.