

## **Legal Profession (Family Court of Western Australia) Determination 2016**

## **Legal Profession (Magistrate Court) (Family Law) Determination 2017**

## **Legal Profession (State Administrative Tribunal) Determination 2016**

### **To**

Legal Costs Committee  
Level 12, International House  
26 St Georges Terrace  
PERTH WA 6000

### **Law Society Contact**

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### **Date**

THURSDAY, 5 APRIL 2018

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## 1. Introduction

- 1.1 The Law Society of Western Australia is the peak professional association for lawyers in Western Australia. Established in 1927, the Law Society is a not-for-profit association dedicated to the representation of its members and the enhancement of the legal profession through being a respected leader and advocate on law reform, access to justice and the rule of law.
- 1.2 This submission is made in response to an invitation by letter dated 28 September 2017 from the Chair of the Legal Costs Committee, Ms Clare Thompson, to submit any comments or suggestions by 6 April 2018 to a review of the following:
  - *Legal Profession (Family Court of Western Australia) Determination 2016;*
  - *Legal Profession (Magistrates Court) (Family Law) Determination 2017;* and
  - *Legal Profession (State Administrative Tribunal) Determination 2016.*
- 1.3 The Legal Costs Committee has resolved to review these Determinations with a view to the commencement date of each new Determination being 1 July 2018.

## 2. **Legal Profession (Family Court of Western Australia) Determination 2016 and Legal Profession (Magistrates Court) (Family Law) Determination 2017 to apply the same practitioner rates**

- 2.1 The Law Society considers that the *Legal Profession (Family Court of Western Australia) Civil Determination 2016* and the *Legal Profession (Magistrates Court) (Family Law) Determination 2017* ought to apply the same practitioner rates.
- 2.2 The Law Society agrees with the view taken by the Legal Costs Committee in February 2017, at the time of making the *Legal Profession (Magistrates Court) (Family Law) Determination 2017*, that it is appropriate that there be no differentiation of practitioner rates between work done in the Family Court of Western Australia and work done before a Magistrate exercising family law jurisdiction.
- 2.3 The Law Society is not aware of any circumstances, including any changes in the administrative arrangements in place at the Courts, which would warrant the application of different rates between family law matters heard by a Judge and those heard by a Magistrate.

## 3. **Increase to hourly and daily rates in each of the Determinations under review**

- 3.1 The hourly and daily rates in the *Legal Profession (Family Court of Western Australia) Determination 2016*, the *Legal Profession (Magistrates Court) (Family Law) Determination 2017* are as follows:

<b>Fee earner</b>	<b>Maximum allowable Hourly and daily rates</b>
Senior Practitioner (permitted to practise on his or her own account for 5 years or more) (SP) hourly rate	\$484
Junior Practitioner (permitted to practise on his or her own account for less than 5 years) (JP) hourly rate	\$341
Restricted Practitioner (RP) hourly rate	\$297
Clerk/paralegal (CPL) hourly rate	\$231
Counsel fees charged as a disbursement to practitioners or charged by in-house Counsel:	
Counsel (C) hourly rate	\$396
daily rate	\$3,960
Senior Counsel (SC) hourly rate	\$682
daily rate	\$6,820

- 3.2 The hourly and daily rates in the *Legal Profession (State Administrative Tribunal) Determination 2016* are as follows:

<b>Fee earner</b>	<b>Maximum allowable Hourly and daily rates</b>
Senior Practitioner (permitted to practise on his or her own account for 5 years or more) (SP) hourly rate	\$407
Junior Practitioner (permitted to practise on his or her own account for less than 5 years) (JP) hourly rate	\$308
Restricted Practitioner (RP) hourly rate	\$231
Clerk/paralegal (CPL) hourly rate	\$154
Counsel (C) hourly rate	\$330
	daily rate \$3,300
Senior Counsel (SC) hourly rate	\$539

3.3 It is submitted that the maximum hourly and daily rates in all of the Determinations under review should be increased by about 3% to reflect increases in the Consumer Price Index (CPI) and costs associated with the running of a legal practice. The following information is in support of this submission.

**3.4 Costs associated with the running of a law practice**

In the 2007/2008 the Australian Bureau of Statistics survey of the legal services industry (the most recent survey) the primary expenses of law practices (other than barristers) were listed as follows:<sup>1</sup>

<b>Expense</b>	<b>% of total expenses</b>
Labour costs	44%
Rent, leasing and hiring	6.5%
Payment for legal services	5%
Payments for legal support services	15%
Disbursements not already reported	2.5%
Insurance premiums	2.7%
Professional expenses	2.3%
Other	22%

**3.5 Labour costs**

The 2017 Australian Legal Industry Salary & HR Issues Survey Report by the Australasian Legal Practice Management Association states:

<sup>1</sup> Australian Bureau of Statistics, *8667.0 – Legal Services, Australia, 2007-08* (24 June 2009) <<http://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/8667.0Main+Features12007-08?OpenDocument>>. Submission to Legal Costs Committee – Review of contentious business determinations  
The Law Society of Western Australia

### **Anticipated salary changes in 2017**

Overall, 46% of firms expect to increase employee wages by more than CPI rates over the next 12 months, the same as in 2016. A similar proportion of firms also expect a wage freeze in 2017 (5% compared to 6.5% in 2016). Slightly higher than in 2016, 19% of firms expect a limited freeze, with increases for some positions only.

Individually negotiated increases (above CPI rates) are the most likely form of salary increase in 2017, with 31% of respondents indicating this is the method used by their firms.

Consumer price index (CPI) adjusted wage increases are also widely used, with 27% of firms opting for CPI salary increases in 2017.

In Western Australia, the survey results were as follows:

- |   |     |
|---|-----|
| • Wage freeze: No increases                           | 5%  |
| • Limited freeze: Increases for some positions only   | 23% |
| • CPI adjusted increases only                         | 25% |
| • 3-5% increase for all roles                         | 16% |
| • 5-10% increase for all roles                        | 0%  |
| • 10%+ increase for all roles                         | 0%  |
| • Individually negotiated increases - above CPI rates | 26% |

### **Wage Price Index (Private Sector All Industries)**

Since the Law Society's submission dated 8 December 2015 regarding the review of the 2014 Determinations, the Australian Bureau of Statistics has reported the following increases to the Wage Price Index:<sup>2</sup>

- |                                    |                                       |
|------------------------------------|---------------------------------------|
| • September 2015 to September 2016 | increase 1.9%                         |
| • September 2016 to December 2016  | increase 0.4%                         |
| • December 2016 to March 2017      | increase 0.5%                         |
| • March 2017 to June 2017          | increase 0.5%                         |
| • June 2017 to September 2017      | increase 0.5%                         |
| • September 2017 to December 2017  | <u>increase 0.5%</u><br>increase 4.3% |

### **3.6 Rents**

Available information suggests that Perth office rents have decreased over the past two years in light of a high office vacancy rate but this is now stabilising.

According to Colliers International's *CBD Office Research and Forecast Report First Half 2018*,<sup>3</sup> the Perth CBD office vacancy rate has moderated to 19.8 per cent down from 21.1 per cent in July 2017. Further:

<sup>2</sup> Australian Bureau of Statistics, *ABS.Stat*

<[http://stat.data.abs.gov.au/Index.aspx?DataSetCode=LABOUR\\_PRICE\\_INDEX#](http://stat.data.abs.gov.au/Index.aspx?DataSetCode=LABOUR_PRICE_INDEX#)>.

<sup>3</sup> Colliers International, *CBD Office Research and Forecast Report First Half 2018*

<[http://www.colliers.com.au/find\\_research/office/cbd\\_office\\_-\\_first\\_half\\_2018/](http://www.colliers.com.au/find_research/office/cbd_office_-_first_half_2018/)>.

*Over the year to December 2017, good absorption levels underpinned more stability in rental rates for Premium grade space. The flight to quality and resultant high vacancy rate in secondary stock continued to exert downward pressure on net face rents in this segment.*

*Notwithstanding improving market conditions in the Premium and A grade segments, market incentives have remained stable, at an average 48.25 per cent for Premium and 52.5 per cent for A Grade during the December 2017 quarter, as vacancy remains well above the long term equilibrium level.*

*As anticipated, supply additions for 2017 were negligible, with just 1,150sqm of new space added.*

### 3.7 Professional Indemnity insurance premiums

Between 2015/16 and 2016/17 the Law Mutual Insurance premium increased by 2.13% and the administration levy decreased by 89.25%.

### 3.8 Consumer Price Index (CPI)

CPI changes since the Law Society's submission in relation to the review of the 2014 Determinations are as follows:<sup>4</sup>

	% change Australia	% change Perth
• June 2015 to September 2015	0.5%	0.4%
• September 2015 to December 2015	0.4%	0.5%
• December 2015 to March 2016	-0.2%	-0.6%
• March 2016 to June 2016	0.4%	0.3%
• June 2016 to September 2016	0.7%	0.4%
• September 2016 to December 2016	0.5%	0.4%
• December 2016 to March 2017	0.5%	0.0%
• March 2017 to June 2017	0.2%	0.0%
• June 2017 to September 2017	0.6%	0.5%
• September 2017 to December 2017	0.6%	0.4%

The total CPI increase in Australia between June 2015 and December 2017 was 3.7%. The total CPI increase in Perth in this period was 2.3%.

### 3.9 Other expenses

The CPI impacts on "Other" expenses for a law practice which include stationery and office supplies, telecommunication expenses, power, technology equipment and services, etc.

### 3.10 Increases in court fees

In July 2016, the Department of the Attorney General (now the Department of Justice) increased most court fees and charges by 11.1%.

<sup>4</sup> Australian Bureau of Statistics, *Consumer Price Index, Australia*  
<http://www.abs.gov.au/AUSSTATS/abs@.nsf/second+level+view?ReadForm&prodno=6401.0&viewtitle=Consumer%20Price%20Index,%20Australia~Dec%202017~Latest~31/01/2018&&tabname=Past%20Future%20Issues&prodno=6401.0&issue=Dec%202017&num=&view=&>.

In July 2017, court fees were increased by a further 1.75%.

Copies of letters from the Department to the Law Society advising of these fee increases are at Annexure A.

- 3.11 If the Legal Costs Committee does not accept the submission that the maximum rates in all of the Determinations under review should be increased by about 3% to reflect increases in the CPI and costs associated with the running of a legal practice, the Law Society submits, in the alternative, that the maximum rates for certain categories of practitioner ought to be increased as follows:

***Legal Profession (Family Court of Western Australia) Determination 2016 and Legal Profession (Magistrates Court) (Family Law) Determination 2017***

<b>Fee Earner</b>	<b>Current Maximum</b>	<b>Proposed Maximum</b>
Senior Practitioner	\$484	\$495 (\$11 increase)
Junior Practitioner	\$341	\$352 (\$11 increase)
Restricted Practitioner	\$297	\$297 (no increase)
Clerk	\$231	\$231 (no increase)
Counsel	\$396	\$418 (\$22 increase)
Senior Counsel	\$682	\$715 (\$33 increase)

***Legal Profession (State Administrative Tribunal) Determination 2016***

<b>Fee Earner</b>	<b>Current Maximum</b>	<b>Proposed Maximum</b>
Senior Practitioner	\$407	\$418 (\$11 increase)
Junior Practitioner	\$308	\$319 (\$11 increase)
Restricted Practitioner	\$231	\$231 (no increase)
Clerk	\$154	\$154 (no increase)
Counsel	\$330	\$352 (\$22 increase)
Senior Counsel	\$539	\$572 (\$33 increase)

- 3.12 The Law Society submits that the fee increases in relation to Senior Practitioners and Junior Practitioners are justified on the basis of the increases in seniority now required to attain that status. The proposed increases are fairly modest.
- 3.13 Previously, a Senior Practitioner and Junior Practitioner were required to have held a practising certificate for 5 and 2 years respectively. The amendments to introduce the Restricted Practitioner category during the last review had the effect that:

- 3.13.1 a practitioner had to complete their 2 years of restricted practice to qualify as a Junior Practitioner, whereas previously they attained that status upon admission to practice; and
- 3.13.2 a practitioner does not 'graduate' to the status of a Senior Practitioner until 5 years after becoming a Junior Practitioner; the result being that the minimum amount of experience for a practitioner to be designated a Senior Practitioner has increased from 5 years to 7 years.
- 3.14 In relation to Counsel, the Law Society submits that maximum amounts should be increased to bring Counsel closer to the amounts charged by Senior Practitioners. The maximum recoverable in relation to Counsel is about 81% of that recoverable by a Senior Practitioner. There is, it is submitted, no sound reason existing for such a gap remaining.
- 3.15 It is not uncommon for Senior Practitioners to practise on their own account. There is, it is submitted, no appreciable difference between the overhead costs of a Senior Practitioner who practises on their own account and those of Counsel, save for the reduced insurance premiums which is outside of the control of Counsel.
- 3.16 Practitioners acting as Counsel would almost invariably qualify as Senior Practitioners if they were practising in the amalgam. In a State with a fused profession there is no justifiable reason why if a Senior Practitioner appears for one party and Counsel for the other that the party instructing the Senior Practitioner should recover more than the party for whom Counsel appears, particularly where they charge the same or similar hourly rates both exceeding the scale.
- 3.17 The increase to the maximum recoverable for Senior Counsel is intended to be a once-off increase to increase 'the gap' between Senior Counsel and the other categories. The increase can be justified on the basis of the significant experience both in number of years but also in the recognised eminence in law of Senior Counsel.

### **3 Recommendations**

#### **4.1 Recommendation 1**

The *Legal Profession (Family Court) Civil Determination 2016* and the *Legal Profession (Magistrates Court) (Family Law) Determination 2017* continue to apply the same practitioner rates.

#### **4.2 Recommendation 2**

The maximum hourly and daily rates in each of the Determinations under review be increased by 3% rounded off to \$11 so as to be divisible by 11.

Alternatively, allowances for certain categories of practitioner be increased so that hourly and daily rates be as follows:

**Legal Profession (Family Court of Western Australia) Determination 2016 and Legal Profession (Magistrates Court) (Family Law) Determination 2017**

<b>Fee earner</b>	<b>Maximum allowable Hourly and daily rates</b>
Senior Practitioner (permitted to practise on his or her own account for 5 years or more) (SP) hourly rate	\$495
Junior Practitioner (permitted to practise on his or her own account for less than 5 years) (JP) hourly rate	\$352
Restricted Practitioner (RP) hourly rate	\$297
Clerk/paralegal (CPL) hourly rate	\$231
Counsel fees charged as a disbursement to practitioners or charged by in-house Counsel:	
Counsel (C) hourly rate	\$418
	\$4,180
Senior Counsel (SC) hourly rate	\$715
	\$7,150

**Legal Profession (State Administrative Tribunal) Determination 2016**

<b>Fee earner</b>	<b>Maximum allowable Hourly and daily rates</b>
Senior Practitioner (permitted to practise on his or her own account for 5 years or more) (SP) hourly rate	\$418
Junior Practitioner (permitted to practise on his or her own account for less than 5 years) (JP) hourly rate	\$319
Restricted Practitioner (RP) hourly rate	\$231
Clerk/paralegal (CPL) hourly rate	\$154
Counsel (C) hourly rate	\$352
	\$3,520
Senior Counsel (SC) hourly rate	\$572



Hayley Cormann  
**President**

## Annexure A



Government of **Western Australia**  
Department of the **Attorney General**  
**Court and Tribunal Services**



All Enquiries: Travis Lang  
Telephone: 9425 7521  
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Our Reference: CS 3233  
DotAG Reference: 2010/02743, 2015/02603

Mr David Price  
Chief Executive Officer  
The Law Society of Western Australia  
P O Box Z5345  
PERTH WA 6831

Dear Mr Price

The Department of the Attorney General (the Department) will publish in the Government Gazette on Tuesday 14 June 2016 the Attorney General Regulations Amendment (Fees) Regulations 2016 which will effect changes to the following Regulations:

- Supreme Court (Fees) Regulations 2002
- State Administrative Tribunal Regulations 2004; and
- District Court (Fees) Regulations 2002;
- Children's Court (Fees) Regulations 2005;
- Magistrates Court (Fees) Regulations 2005;
- Coroner's Regulations 1997;
- Civil Judgments Enforcement Regulations 2005;
- Fines, Penalties and Infringement Notices Enforcement Regulations 1994; and
- Evidence (Video and Audio Links Fees and Expenses) Regulations 1999.

Effective 4 July 2016, various amendments to the abovementioned Regulations will be made to provide for the following:

- Each year the Department undertakes a review of fees and charges in accordance with Department of Treasury guidelines. As part of the annual review of fees and charges, an 11.1% increase has been approved to most fees and charges across court and tribunals. The major changes to existing fee amounts are listed in Attachment A;
- a new fee structure for charging in the provision of transcription; and
- the ability for a court or tribunal to fully waive a fee or charge has been reviewed and Regulations have been amended to provide that an individual or entity may apply to the court for a reduction of fees. Eligible Individuals will be charged 30% of the full fee payable; the 30% has been capped at \$100. Eligible Entities (corporations) will be charged at the Individual rate.

Full details of all changes will be available from the State Law Publishing Office following gazettal on 14 June 2016.

Should you require any further information, please contact Mr Travis Lang, on 9425 7521.

Yours sincerely

A handwritten signature in black ink that reads "Joanne Stampalia". The signature is written in a cursive style with a large initial 'J'.

JOANNE STAMPALIA  
A/EXECUTIVE DIRECTOR  
COURT AND TRIBUNAL SERVICES

9 June 2016

## ATTACHMENT A

### Supreme Court (Fees) Regulations 2002

#### General Division

Item	Individual or Eligible Entity		Entity		Eligible Individual	
	Current Fee	New Fee	Current Fee	New Fee	Current Fee	New Fee
Commence action	1,085.00	1,205.00	2,113.00	2,348.00	N/A	100.00
Entry for hearing	1,085.00	1,205.00	2,113.00	2,348.00	N/A	100.00
Daily hearing fee	726.00	807.00	1,885.00	2,094.00	N/A	100.00
Chambers application	255.00	283.00	495.00	550.00	N/A	85.00

#### Court of Appeal

Item	Individual or Eligible Entity		Entity		Eligible Individual	
	Current Fee	New Fee	Current Fee	New Fee	Current Fee	New Fee
Filing an appeal notice	181.00	201.00	469.00	521.00	N/A	60.50
Filing Appellants case / Respondents answer	2,726.00	3,029.00	7,084.00	7870.00	N/A	100.00
Setting down fee	909.00	1010.00	1,768.00	1,964.00	N/A	100.00
Daily hearing fee	726.00	807.00	1,885.00	2,094.00	N/A	100.00
Chambers application	255.00	283.00	495.00	550.00	N/A	85.00

#### Probate

Item	Current Fee	New Fee
Application for grant or second subsequent	304.00	338.00
Depositing a will in the Registry	72.00	80.00
Certification under seal of a document true copy	17.65	19.60
Exemplification of a grant	90.50	101.00
Search and inspection of document or files of documents	36.60	40.70

**State Administrative Tribunal Regulations 2004**

Item	Individual or Eligible Entity		Entity		Eligible Individual	
	Current Fee	New Fee	Current Fee	New Fee	Current Fee	New Fee
Schedule 3 – Application Fee	1,370.00	1,522.00	1,370.00	1,522.00	N/A	100.00
Schedule 3 – Hearing fee	1,370.00	1,522.00	1,370.00	1,522.00	N/A	100.00
Schedule 4 – Application by an individual	500.00	556.00	913.00	1,014.00	N/A	100.00
Schedule 4 – Hearing fee (individual)	457.00	508.00	592.00	658.00	N/A	100.00

**District Court (Fees) Regulations 2002**

Item	Individual or Eligible Entity		Entity		Eligible Individual	
	Current Fee	New Fee	Current Fee	New Fee	Current Fee	New Fee
Commence action	722.00	802.00	1,409.00	1,565.00	N/A	100.00
Entry for hearing	722.00	802.00	1,409.00	1,565.00	N/A	100.00
Daily hearing fee	634.00	704.00	1,650.00	1,833.00	N/A	100.00
Chambers application	181.00	201.00	353.00	392.00	N/A	60.50
Application for leave to appeal	272.00	302.00	468.00	520.00	N/A	90.50
Filing an appeal notice	409.00	454.00	1,058.00	1,175.00	N/A	100.00
Application for an extraordinary drivers licence	182.00	193.00	N/A	N/A	N/A	58.00

**Magistrates Court (Fees) Regulations 2005**

Item	Individual or Eligible Entity		Entity		Eligible Individual	
	Current Fee	New Fee	Current Fee	New Fee	Current Fee	New Fee
Commence action Minor Case	106.00	118.00	206.00	229.00	N/A	35.30
Commence action \$10k-\$50k	269.00	299.00	526.00	584.00	N/A	90.00
Commence action exceeding \$50k	429.00	477.00	834.00	927.00	N/A	100.00
Entry for hearing Minor Case	167.50	186.00	325.00	361.00	N/A	55.50
Entry for hearing \$10k-\$50k	305.00	339.00	588.00	653.00	N/A	100.00
Entry for hearing exceeding \$50k	338.00	376.00	656.00	729.00	N/A	100.00
Half daily hearing fee Minor Case	96.50	107.00	252.00	280.00	N/A	32.10
Half daily hearing fee \$10k-\$50k	169.50	188.50	440.00	489.00	N/A	56.50
Half daily hearing fee exceeding \$50k	242.00	269.00	627.00	697.00	N/A	80.50
Chambers application Minor Case	88.50	98.50	171.50	190.50	N/A	29.40
Chambers application \$10k-\$50k	106.50	118.50	206.00	229.00	N/A	35.40
Chambers application exceeding \$50k	143.50	159.50	281.00	312.00	N/A	47.80
Application for extraordinary drivers licence	182.00	193.00	N/A	N/A	N/A	58.00

## Fines, Penalties and Infringement Notices Enforcement Regulations 1994

<b>Item</b>	<b>Current Fee</b>	<b>New Fee</b>
Fee for issuing a final demand	16.40	18.20
Fee for preparing an enforcement certificate for infringement notice	13.95	15.50
Fee for registering an infringement notice with the Registry	52.00	58.00
Fee for issuing a notice of intention to enforce	34.60	38.40
Fee for issuing an enforcement warrant	163.00	181.00



Government of **Western Australia**  
Department of **Justice**  
**Court and Tribunal Services**

All Enquiries: Travis Lang  
Telephone: 9425 7521  
Email: travis.lang@justice.wa.gov.au  
Our Reference: CS 338-2017  
DoJ Reference: 02282-2016



Mr David Price  
Chief Executive Officer  
The Law Society of Western Australia  
P O Box Z5345  
PERTH WA 6831

Dear Mr Price

**COURT AND TRIBUNAL FEE INCREASES**

Each year the Department of Justice undertake a review of fees and charges in accordance with Department of Treasury guidelines.

Effective 10 July 2017, various amendments to the below fee regulations will be made to provide an increase in court fees to match the movement in costs as determined by the Department. Fees and charges under the below mentioned Regulations have been increased by 1.75%. The major proposed changes to existing fee amounts are listed in Attachment A.

- Children's Court (Fees) Regulations 2005;
- Civil Judgments Enforcement Regulations 2005;
- Coroner's Regulations 1997;
- District Court (Fees) Regulations 2002;
- Evidence (Video and Audio Links Fees and Expenses) Regulations 1999;
- Fines, Penalties and Infringement Notices Enforcement Regulations 1994;
- Magistrates Court (Fees) Regulations 2005;
- State Administrative Tribunal Regulations 2004; and
- Supreme Court (Fees) Regulations 2002

Full details of all changes will be available from the State Law Publishing Office following gazettal on 7 July 2017. Should you require any further information, please contact Mr Travis Lang on 9425 7521.

Yours sincerely

Joanne Stampalia  
**A/Executive Director**  
**Court and Tribunal Services**

4 July 2017

Attachment A

**Supreme Court (Fees) Regulations 2002**

General Division

Item	Individual		Corporate	
	Current Fee	Proposed Fee	Current Fee	Proposed Fee
Commence action	1,205.00	1,226.00	2,348.00	2,389.00
Entry for hearing	1,205.00	1,226.00	2,348.00	2,389.00
Daily hearing fee	807.00	821.00	2,094.00	2,131.00
Chambers application	283.00	288.00	550.00	560.00

Court of Appeal

Item	Individual		Corporate	
	Current Fee	Proposed Fee	Current Fee	Proposed Fee
Filing an appeal notice	201.00	205.00	521.00	530.00
Filing Appellants case / Respondents answer	3,029.00	3,082	7,870.00	8,008.00
Setting down fee	1,010.00	1,028.00	1,964.00	1,998.00
Daily hearing fee	807.00	821.00	2,094.00	2,131.00
Chambers application	283.00	288.00	550.00	560.00

Probate

Item	Current Fee	Proposed Fee
Application for grant or second subsequent	338.00	344.00
Depositing a will in the Registry	80.00	81.50
Certification under seal of a document true copy	19.60	19.95
Exemplification of a grant	101.00	103.00
Search and inspection of document or files of documents	40.70	41.40

Attachment A

**District Court (Fees) Regulations 2002**

Item	Individual		Corporate	
	Current Fee	Proposed Fee	Current Fee	Proposed Fee
Commence action	802.00	816.00	1,565.00	1,592.00
Entry for hearing	802.00	816.00	1,565.00	1,592.00
Daily hearing fee	704.00	716.00	1,833.00	1,865.00
Chambers application	201.00	205.00	392.00	399.00
Application for leave to appeal	302.00	307.00	520.00	529.00
Filing an appeal notice	454.00	462.00	1,175.00	1,196.00
Application for an extraordinary drivers licence	193.00	196.50	N/A	N/A

**Magistrates Court (Fees) Regulations 2005**

Item	Individual		Corporate	
	Current Fee	Proposed Fee	Current Fee	Proposed Fee
Commence action Minor Case	118.00	120.00	229.00	233.00
Commence action \$10k-\$50k	299.00	304.00	584.00	594.00
Commence action exceeding \$50k	477.00	485.00	927.00	943.00
Entry for hearing Minor Case	186.00	189.50	361.00	367.00
Entry for hearing \$10k-\$50k	339.00	345.00	653.00	664.00
Entry for hearing exceeding \$50k	376.00	383.00	729.00	742.00
Half daily hearing fee Minor Case	107.00	109.00	280.00	285.00
Half daily hearing fee \$10k-\$50k	188.50	192.00	489.00	498.00
Half daily hearing fee exceeding \$50k	269.00	274.00	697.00	709.00
Chambers application Minor Case	98.50	100.00	190.50	194.00
Chambers application \$10k-\$50k	118.50	120.50	229.00	233.00
Chambers application exceeding \$50k	159.50	162.50	312.00	317.00
Application for extraordinary drivers licence	193.00	196.50	N/A	N/A

## Attachment A

### State Administrative Tribunal Regulations 2004

Item	Current Fee	Proposed Fee
Schedule 3 – Application Fee	1,522.00	1,549.00
Schedule 3 – Hearing fee (person)	1,522.00	1,549.00
Schedule 4 – Application by an individual	556.00	566.00
Schedule 4 – Application fee for other than an individual	556.00	566.00
Schedule 4 – Hearing fee (individual)	457.00	465.00
Schedule 4 – Hearing fee for other than an individual	457.00	465.00

### Fines, Penalties and Infringement Notices Enforcement Regulations 1994

Item	Current Fee	Proposed Fee
Fee for issuing a final demand	18.20	18.50
Fee for preparing an enforcement certificate for infringement notice	15.50	15.75
Fee for registering an infringement notice with the Registry	58.00	59.00
Fee for issuing a notice of intention to enforce	38.40	39.10
Fee for issuing an enforcement warrant	181.00	184.00