



New South Wales

Civil and Administrative Tribunal Amendment (Fees) Regulation 2014

under the

Civil and Administrative Tribunal Act 2013

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Civil and Administrative Tribunal Act 2013*.

BRAD HAZZARD, MP
Attorney General

Explanatory note

The object of this Regulation is to increase certain fees payable in connection with proceedings before the Civil and Administrative Tribunal (*the Tribunal*).

This Regulation also:

- (a) introduces differential fees for corporations in most proceedings, and
- (b) removes specific fee amounts for the supply of duplicate sound recordings and transcripts of the evidence or proceedings and allows the principal registrar to charge the full cost of providing sound recordings and transcripts, and
- (c) removes the fee for lodging a general application for a decision under the *Dividing Fences Act 1991* so that the fee payable for such an application will be the fee for a general application in general consumer or commercial proceedings, and
- (d) reduces (from \$55 to \$50) the fee for a request for the production to the Tribunal of documents held by a court.

This Regulation is made under the *Civil and Administrative Tribunal Act 2013*, including sections 48 (2) and 90 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Civil and Administrative Tribunal Amendment (Fees) Regulation 2014*.

2 Commencement

This Regulation commences on 1 July 2014 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Civil and Administrative Tribunal Regulation 2013

[1] Clause 5 Fees generally

Omit clause 5 (1). Insert instead:

- (1) The fee payable by a person to the principal registrar in respect of a matter listed in Column 1 of Schedule 2 is:
 - (a) the fee specified in respect of that matter in Column 2 of that Schedule, or
 - (b) if the person is a corporation and a fee is specified in respect of that matter in Column 3 of that Schedule, the fee so specified.

[2] Clause 5 (3)

Omit the subclause. Insert instead:

- (3) In relation to evidence given in, or proceedings before, the Tribunal, the principal registrar may charge a person the full cost of providing the person with:
 - (a) all or part of a written record or transcript of the evidence or proceedings, or
 - (b) a sound or audio-visual recording of the evidence or proceedings.

[3] Clause 5 (4)

Omit "\$39". Insert instead "\$40".

[4] Schedule 2

Omit the Schedule. Insert instead:

Schedule 2 Fees

(Clause 5)

	Column 1	Column 2	Column 3
Item	Matter for which fee payable	Standard fee	Corporation fee
1	Lodgment of a general application in residential proceedings	\$47	\$94
2	Lodgment of a general application in strata proceedings	\$97	\$194
3	Lodgment of a general application in general consumer or commercial proceedings:		
	(a) if the amount claimed or in dispute is not more than \$10,000 or if no amount is claimed or in dispute, or	\$47	\$94
	(b) if the amount claimed or in dispute is more than \$10,000 but is not more than \$30,000, or	\$97	\$194
	(c) if the amount claimed or in dispute is more than \$30,000	\$252	\$504

	Column 1	Column 2	Column 3
Item	Matter for which fee payable	Standard fee	Corporation fee
4	Lodgment of a general application for decision under <i>Retail Leases Act 1994</i>	\$96	\$192
5	Lodgment of a general application or external appeal in other proceedings:		
	(a) if it is an appeal required to be determined by an Appeal Panel, or	\$396	\$792
	(b) if it is an application or appeal required to be determined in a Division by 2 or more Division members, or	\$201	\$402
	(c) in any other case	\$96	\$192
6	Lodgment of an administrative review application:		
	(a) if the application is required to be determined by 2 or more members, or	\$201	—
	(b) in any other case	\$96	—
7	Lodgment of an internal appeal	\$396	\$792
8	Lodgment of an application under clause 9 of this Regulation to set aside or vary decision of Tribunal determining proceedings	\$97	\$194
9	Issue of a summons (for production or to give evidence, or both)	\$43	—
10	Request for the production to Tribunal of documents held by court	\$50	—
11	Retrieval of any document or file from archives	\$76	—
12	Provision of copy or certified copy of decision or written reasons	\$76	—

Notes.

- 1 Clause 5 (4) of this Regulation provides that the principal registrar may charge a fee not exceeding \$40 for any other service provided.
- 2 Clause 6 of this Regulation provides for circumstances in which no fee or a reduced fee may be payable.
- 3 Clause 6 (3) of this Regulation provides that a party to proceedings is entitled to one free copy of the decision or written reasons for a decision of the Tribunal.