



Queensland

Justice Legislation (Fees) Amendment Regulation (No. 1) 2009

Subordinate Legislation 2009 No. 181

made under the

Appeal Costs Fund Act 1973

Births, Deaths and Marriages Registration Act 2003

Body Corporate and Community Management Act 1997

Commercial and Consumer Tribunal Act 2003

Coroners Act 2003

Dispute Resolution Centres Act 1990

Electoral Act 1992

Evidence Act 1977

Justices Act 1886

Justices of the Peace and Commissioners for Declarations Act 1991

Land Court Act 2000

Legal Profession Act 2007

Property Law Act 1974

Recording of Evidence Act 1962

Retail Shop Leases Act 1994

Small Claims Tribunals Act 1973

State Penalties Enforcement Act 1999

Supreme Court of Queensland Act 1991

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1 Short title

This regulation may be cited as the *Justice Legislation (Fees) Amendment Regulation (No. 1) 2009*.

2 Commencement

This regulation commences on 1 September 2009.

3 Regulations amended

The schedule amends the regulations mentioned in it.

Schedule Regulations amended

section 3

Appeal Costs Fund Regulation 1999

1 Schedule 1—

omit, insert—

‘Schedule 1 Additional fees on documents

section 4

\$

On the issue of a document commencing—

- | | |
|--|--------|
| (a) a cause or matter in the Supreme Court | 21.00 |
| (b) a proceeding in the District Court of Queensland | 16.00 |
| (c) a proceeding in a Magistrates Court | 2.80’. |

Births, Deaths and Marriages Registration Regulation 2003

1 Schedule 3—

omit, insert—

'Schedule 3 Fees

section 20

	\$
1 Application to register a birth in the circumstances mentioned in—	
(a) section 6(1)(b)(ii) of the Act	15.50
(b) section 7(2) of the Act	15.50
(c) section 7(3)(b) of the Act	15.50
(d) section 9(3) of the Act	3.80
2 Application to change a child's first name under section 13 of the Act	15.50
3 Application to register a change of name under section 16(1) or 17 of the Act	135.00
4 Application to—	
(a) note a change of name under section 20 of the Act	29.50
(b) reregister a birth or adoption under section 14(3)(b) of the Act	54.00
5 Application to—	
(a) note a reassignment of sex under section 23 of the Act; and	
(b) reregister a birth or adoption under section 14(2) of the Act	84.00
6 Application to correct a register under section 42(2)(c) of the Act	15.50
7 Application for information under section 44(1)(a) of the Act by searching the index or register for an event—for each event under 1 name, for each 5 year period or part of a 5 year period searched.	18.50

Schedule

		\$
8	Application for—	
	(a) a certificate under section 44(1)(a) of the Act .	34.00
	(b) a copy of a document under section 44(1)(b) of the Act.	43.00
9	Giving priority to—	
	(a) registering a change of name	74.00
		(in addition to any other fee)
	(b) searching the index or register for an event . . .	22.00
		(in addition to any other fee)
	(c) issuing a certificate	22.00
		(in addition to any other fee)
10	Certifying a photocopy of information or a document.	44.50’.

Body Corporate and Community Management (Accommodation Module) Regulation 2008

1 Section 203(1)(a)(i), ‘\$12.00’—

omit, insert—

‘\$12.50’.

2 Section 203(1)(a)(ii), ‘\$24.00’—

omit, insert—

‘\$24.50’.

3 Section 203(2), from ‘\$46.50’ to ‘\$11.50’—

omit, insert—

‘\$48.00, plus a priority fee of \$18.00 if the certificate is required within 24 hours, plus a fee of \$12.00’.

Body Corporate and Community Management (Commercial Module) Regulation 2008

1 Section 161(1)(a)(i), ‘\$12.00’—

omit, insert—

‘\$12.50’.

2 Section 161(1)(a)(ii), ‘\$24.00’—

omit, insert—

‘\$24.50’.

3 Section 161(2), from ‘\$46.50’ to ‘\$11.50’—

omit, insert—

‘\$48.00, plus a priority fee of \$18.00 if the certificate is required within 24 hours, plus a fee of \$12.00’.

Body Corporate and Community Management Regulation 2008

1 Schedule—

omit, insert—

'Schedule Fees

section 3

\$

- | | | |
|---|--|--------|
| 1 | Application under section 238 of the Act— | |
| | (a) if the application includes a request for the commissioner to consider whether an interim order should be considered by an adjudicator | 125.00 |
| | (b) otherwise | 61.00 |
| 2 | Application under section 246 of the Act— | |
| | (a) to inspect an application under section 238 of the Act, submissions under section 243(2)(b) of the Act or replies to submissions under section 244(2)(b) of the Act— | |
| | (i) for each hour or part of an hour | 13.00 |
| | (ii) maximum fee payable for a day | 52.00 |
| | (b) to be given copies of an application under section 238 of the Act, submissions under section 243(2)(b) of the Act or replies to submissions under section 244(2)(b) of the Act, for each page— | |
| | (i) for less than 20 pages | 1.50 |
| | (ii) for 20 to 50 pages | 1.30 |
| | (iii) for more than 50 pages | 1.00 |
| 3 | Application under section 299 of the Act for information about a community titles scheme— | |
| | (a) if the information is given to the applicant in person . | 13.50 |
| | (b) if the information is posted to the applicant | 16.00 |
| | (c) if the information is faxed to the applicant | 20.50' |

Body Corporate and Community Management (Small Schemes Module) Regulation 2008

- 1 Section 137(1)(a)(i), ‘\$12.00’—**
omit, insert—
‘\$12.50’.
- 2 Section 137(1)(a)(ii), ‘\$24.00’—**
omit, insert—
‘\$24.50’.
- 3 Section 137(2), from ‘\$46.50’ to ‘\$11.50’—**
omit, insert—
‘\$48.00, plus a priority fee of \$18.00 if the certificate is required within 24 hours, plus a fee of \$12.00’.

Body Corporate and Community Management (Standard Module) Regulation 2008

- 1 Section 205(1)(a)(i), ‘\$12.00’—**
omit, insert—
‘\$12.50’.
- 2 Section 205(1)(a)(ii), ‘\$24.00’—**
omit, insert—
‘\$24.50’.

Schedule

3 Section 205(2), from '\$46.50' to '\$11.50'—

omit, insert—

'\$48.00, plus a priority fee of \$18.00 if the certificate is required within 24 hours, plus a fee of \$12.00'.

Commercial and Consumer Tribunal Regulation 2003

1 Schedule 2—

omit, insert—

'Schedule 2 Fees

section 7(2)

'Part 1 Application fees

\$

1	Application under section 102 of the Act for a review under—	
	(a) the <i>Architects Act 2002</i> , section 121(1)	245.00
	(b) the <i>Building Act 1975</i> , section 205(2)	245.00
	(c) the <i>Disability Services Act 2006</i> , section 108(1)(a) or (b) or 113(2)(a)	62.00
	(d) the <i>Plumbing and Drainage Act 2002</i> , section 129(2)	245.00
	(e) the <i>Professional Engineers Act 2002</i> , section 122(1)	245.00
	(f) the <i>Property Agents and Motor Dealers Act 2000</i> —	
	(i) section 483	62.00
	(ii) section 501	130.00

	\$
(g) the <i>Queensland Building Services Authority Act 1991</i> , section 87	245.00
2 Application under section 113 of the Act—	
(a) for an extension of time under the <i>Property Agents and Motor Dealers Act 2000</i> , section 511(1)	62.00
(b) to hear and decide—	
(i) an application made to the tribunal under the <i>Body Corporate and Community Management Act 1997</i> , section 48, 133, 149A, 149B or 178	245.00
(ii) an application made to the tribunal under the <i>Domestic Building Contracts Act 2000</i> , section 18(6)(b), 55(4), 60(3) or 84(2)(b) or (3)(b)	245.00
(iii) an application made to the tribunal under the <i>Manufactured Homes (Residential Parks) Act 2003</i> , section 22(4), 35(2), 38(1), 39(2), 50(2), 52(3), 53(5), 55(2), 70(2), 71(7), 72, 74(2), 82(2), 90(3), 94(4), 98(4) or 140	62.00
(iv) a building dispute under the <i>Queensland Building Services Authority Act 1991</i> , section 77(1)	245.00
(v) a retirement villages dispute under the <i>Retirement Villages Act 1999</i> , section 167	62.00
(c) to hear and decide an appeal under—	
(i) the <i>Body Corporate and Community Management Act 1997</i> , section 289	245.00
(ii) the <i>Disability Services Act 2006</i> , section 212(1) or (2)	62.00
(iii) the <i>Liquor Act 1992</i> , section 31(1)—	
(A) for an appellant who has a direct or indirect financial interest in licensed premises that may be affected by the outcome of the appeal	245.00
(B) for another appellant	62.00

Schedule

	\$
(iv) the <i>Residential Services (Accreditation) Act 2002</i> , section 159(1)	245.00
3 Application under the <i>Retirement Villages Act 1999</i> , section 157 to have a retirement village dispute referred to mediation	62.00

‘Part 2 Miscellaneous fees

	\$
Inspection of register	
1 Inspecting the register kept under section 22(2)(a) of the Act—	
(a) for each hour or part of an hour	13.00
(b) maximum fee for a day	52.00
Certificate	
2 Supplying a certificate as to the correctness of a matter in the register under section 22(2)(c) of the Act—in addition to an amount under item 3	48.00
Copies	
3 Black and white copy of a record or information, other than a plan or drawing, filed in the registry, for each page—	
(a) for less than 20 pages	1.50
(b) for 20 to 50 pages	1.30
(c) for more than 50 pages	1.00
4 Colour copy of a record or information, other than a plan or drawing, filed in the registry, for each page—	
(a) A4 page	4.50
(b) A3 page	4.80

	\$
5 Copy of a plan or drawing, filed in the registry, for each page—	
(a) A3 page.....	3.90
(b) A2 page.....	4.90
(c) A1 page.....	6.30
 Attendance notice	
6 Application to issue an attendance notice under section 77 of the Act	15.50
 Officer's attendance	
7 For an officer of the staff of the registry to accompany a record or document at a place out of the registry, for each day or part of a day the officer is necessarily absent from the registry—in addition to the officer's reasonable travelling and other expenses	145.00'.

Coroners Regulation 2003

1 Section 6—

omit, insert—

'6 Investigation document fee

'The fees for copies of an investigation document are as follows—

- (a) first copy—each page—\$1.90;
- (b) maximum fee for first copy—\$54.00;
- (c) additional copy—each page—\$0.50;
- (d) maximum fee for additional copy—\$21.50'.

Criminal Practice (Fees) Regulation 2000

1 Schedule—

omit, insert—

‘Schedule Fees

section 2

	\$
1 Inspecting an exhibit, other than a document, under rule 56(1)	13.50
2 Searching or inspecting a court file or document under rule 57(1)(a)	13.50
3 Obtaining a certified copy under rule 57(1)(b)	50.00
4 Preparing and copying appeal record book under rule 97—	
(a) first copy—each page	1.90
(b) additional copy—each page	0.50
(c) binding appeal record book—each book	8.00
5 Copying a document, other than an appeal record book, or part of it—	
(a) first copy—each page	1.90
(b) maximum fee for first copy	54.00
(c) additional copy—each page	0.50
(d) maximum fee for additional copy	21.50’.

Dispute Resolution Centres Regulation 2009

1 Schedule—

omit, insert—

'Schedule Fees

section 2

\$

Fees payable for commercial services

- | | | |
|---|---|----------|
| 1 | For a service, other than the conduct of a mediation session, provided before or after the mediation session— | |
| | (a) by a member of staff of a dispute resolution centre—for each hour or part of an hour | 105.00 |
| | (b) by 1 mediator—for each hour or part of an hour | 155.00 |
| | (c) by 2 mediators—for each hour or part of an hour . . . | 200.00 |
| | (d) by 3 mediators—for each hour or part of an hour . . . | 240.00 |
| 2 | For the conduct of a mediation session— | |
| | (a) by 1 mediator—for each hour or part of an hour | 155.00 |
| | (b) by 2 mediators—for each hour or part of an hour . . . | 200.00 |
| | (c) by 3 mediators—for each hour or part of an hour . . . | 240.00'. |

Electoral Regulation 2002**1 Schedule 2—***omit, insert—*

‘Schedule 2 Fees

section 7

\$

- | | | |
|---|--|--|
| 1 | Supply under section 60(3) of the Act of a printed version of the publicly available part of an electoral roll | 12.50 |
| 2 | Supply under section 61(6) of the Act to a local government of a computer disk or computer tape version of an entire electoral roll for an electoral district wholly or partly within the local government’s area | 355.00
plus the
additional
applicable
amount |
| 3 | Supply under section 61(7) of the Act to a local government of changes to a computer disk or computer tape version of an entire electoral roll for an electoral district wholly or partly within the local government’s area, for each calendar year | 355.00
plus the
additional
applicable
amount |
| 4 | In this schedule—

<i>additional applicable amount</i> means \$26.50 for each 1000 (or part of 1000) electors enrolled for the local government area as at 31 August immediately before the application for supply.’. | |

Evidence Regulation 2007

- 1 **Section 5(2)(b), ‘\$35.50’—**
 omit, insert—
 ‘\$36.50’.

2 Section 5(3)(a)—*omit, insert—*

- ‘(a) if a copy or extract is a photocopy in A4 size, the following—
- (i) first copy—each page—\$1.90;
 - (ii) maximum fee for first copy—\$54.00;
 - (iii) additional copy—each page—\$0.50;
 - (iv) maximum fee for additional copy—\$21.50; or’.

Justices of the Peace and Commissioners for Declarations Regulation 2007**1 Schedule—***omit, insert—***‘Schedule Fees**

section 12(1)

\$

1	Application under section 4(1) by a person currently holding office as—	
	(a) an appointed justice of the peace not mentioned in paragraph (c)	24.50
	(b) an appointed commissioner for declarations	24.50
	(c) a justice of the peace (commissioner for declarations) under section 42 of the Act	34.50
2	Application under section 4(1) by a person not mentioned in item 1	95.00

Schedule

		\$
3	Application under section 10 by a person currently holding office as a justice of the peace (commissioner for declarations) under section 42 of the Act	34.50
4	Certificate of registration under section 21(6) of the Act . .	9.50
5	Replacement seal of office.	18.50’.

Justices Regulation 2004

1 Section 19B(2), ‘item 4’—

omit, insert—

‘item 5’.

2 Schedule 3—

omit, insert—

‘Schedule 3 Fees

section 19

		\$
1	Filing a complaint and summons under section 54(2) of the Act	71.00
2	Filing a copy of a summons to a witness issued under section 78 or 83 of the Act.	14.00
3	Filing a copy of the written evidence on oath relied on to obtain a warrant under section 81 of the Act.	14.00
4	Inspection of a record for a matter under the Act heard and decided—	
	(a) up to 4 years ago, for each record	11.00
	(b) more than 4 years ago, for each record	20.00

	\$
5 Supply, under section 154 of the Act, of a copy of a record of a decision under the Act, including an order or a record of conviction	11.00
6 Supply, under section 154 of the Act, of a copy of a record for a matter, under the Act, to which the <i>Recording of Evidence Act 1962</i> does not apply, other than a copy of a record mentioned in item 5—	
(a) first copy—each page	1.90
(b) maximum fee for first copy	54.00
(c) additional copy—each page.	0.50
(d) maximum fee for additional copy	21.50’.

Land Court Regulation 2000

1 Schedule— *omit, insert—*

‘Schedule Fees

section 3

	\$
1 Issuing a subpoena—(Act, s 8)	15.50
2 Copy of a record of the Land Court or a document or exhibit filed with the registrar—	
(a) first copy—each page	1.90
(b) maximum fee for first copy	54.00
(c) additional copy—each page.	0.50
(d) maximum fee for additional copy	21.50
3 Copy of a transcript of a recording of a proceeding—for each page	6.50

Schedule

		\$
4	Binding appeal record books for an appeal in the Land Appeal Court—(Act, s 56(1))—for each volume	7.90
5	Applying for a proceeding in the Land Appeal Court to be heard or decided at another place—(Act, s 62(3)).	195.00
6	Serving notice of appeal on the registrar of the Land Appeal Court—(Act, s 65(1)(b))	135.00’.

Legal Profession Regulation 2007

1 Schedule 1—

omit, insert—

‘Schedule 1 Fees

section 7

		\$
1	Board’s consideration of an application for admission to the legal profession under section 39(2) of the Act.	465.00
2	Application for approval of academic qualifications attained in a foreign country under rule 8 of the admission rules	94.00
3	Application for approval of legal training requirements completed in a foreign country under rule 9 of the admission rules	190.00
4	Notice of traineeship under rule 9I of the admission rules .	46.50
5	Examination fee for a board examination under rule 34 of the admission rules	135.00
6	Statement, provided by the board, of results obtained in board examinations	41.00
7	Application for the board’s consent to enter into articles of clerkship.	46.50’.

Property Law Regulation 2003

1 Schedule—

omit, insert—

‘Schedule Fees

section 3

\$

- | | | |
|---|---|---------|
| 1 | Lodging in the land registry any of the following for registration under part 18, division 3 of the Act— | |
| | (a) an agreement in writing, deed, conveyance or other instrument, other than a lease for less than 3 years, affecting an estate in land; | |
| | (b) a will or devise affecting an estate in land; | |
| | (c) another instrument, record or document | 54.00 |
| 2 | Photocopy of a document registered under part 18, division 3 of the Act | 26.50 |
| 3 | In addition to the fee payable for a photocopy of a document mentioned in item 2—for certifying the copy. . . | 26.50’. |

Recording of Evidence Regulation 2008

1 Schedule 1—

omit, insert—

‘Schedule 1 Fees

section 4

\$

- | | | |
|---|--|---------|
| 1 | For issuing a copy of a transcription, in printed or electronic form, of a record under the Act of a legal proceeding before the Queensland Industrial Relations Commission— | |
| | (a) first copy—each page | 3.30 |
| | (b) additional copy issued to the same person—each page | 0.70 |
| 2 | For issuing a copy of a transcription, in printed or electronic form, of a record under the Act of another legal proceeding— | |
| | (a) first copy—each page | 5.50 |
| | (b) additional copy issued to the same person—each page | 0.70 |
| 3 | For issuing a copy, if available in electronic form or cassette tape form, of a record under the Act of a legal proceeding—each hour | 16.00’. |

Retail Shop Leases Regulation 2006

1 Section 11, ‘\$104’—

omit, insert—

‘\$105’.

Small Claims Tribunals Regulation 2005

1 Schedule—

omit, insert—

‘Schedule Fees

section 4

\$

1	Filing a small claim under section 24(1) of the Act—	
	(a) if the claim is for an amount of—	
	(i) less than \$500	14.50
	(ii) \$500 or more but less than \$1500	49.00
	(iii) \$1500 or more	80.00
	(b) if the claim is other than for the payment of money . .	14.50
2	Application to a small claims tribunal under the <i>Manufactured Homes (Residential Parks) Act 2003</i> , section 153(2)	71.00
3	Application to a small claims tribunal under a provision of the <i>Dividing Fences Act 1953</i> mentioned in section 18 of that Act	71.00’.

State Penalties Enforcement Regulation 2000

1 Sections 26A and 27, ‘\$84’—

omit, insert—

‘\$87’.

Schedule

2 Section 29, ‘\$50’—

omit, insert—

‘\$52.00’.

ENDNOTES

- 1 Made by the Governor in Council on 27 August 2009.
- 2 Notified in the gazette on 28 August 2009.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Justice and Attorney-General.

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