



Queensland

# Justice Legislation (Costs and Fees) Amendment Regulation (No. 1) 2010

## Subordinate Legislation 2010 No. 282

made under the

*Supreme Court of Queensland Act 1991*

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## **Part 1 Preliminary**

### **1 Short title**

This regulation may be cited as the *Justice Legislation (Costs and Fees) Amendment Regulation (No. 1) 2010*.

### **2 Commencement**

- (1) Subject to subsection (2), this regulation commences on 1 November 2010.
- (2) Part 3 commences immediately after the commencement of the *Civil and Criminal Jurisdiction Reform and Modernisation Amendment Act 2010*, section 142(4).

## **Part 2 Amendment of Uniform Civil Procedure (Fees) Regulation 2009**

### **3 Regulation amended**

This part amends the *Uniform Civil Procedure (Fees) Regulation 2009*.

### **4 Amendment of sch 2 (Magistrates Courts fees)**

Schedule 2, item 1(c)—  
*omit, insert—*

- |   |        |
|---|--------|
| ‘(c) if amount claimed is \$10000 or more but less than \$50000 ..... | 200.00 |
| (d) if amount claimed is \$50000 or more but less than \$100000 and—  |        |



[s 6]

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|   |  |       |
|---|--|-------|
| <b>Preparing exhibit certificates</b>   |  |       |
| 6                                       | Preparing an exhibit certificate—for each exhibit, including a paginated book . . . . .  | 2.90  |
| <b>Copying documents</b>                |  |       |
| 7                                       | Copying a document—for each page . . . . .   | 0.20  |
| <b>Perusing documents</b>               |  |       |
| 8                                       | Perusing a document—for each 100 words . . . . .   | 2.90  |
| <b>Examining or comparing documents</b> |  |       |
| 9                                       | Examining a document or comparing documents, if perusal is unnecessary—  |       |
|   | (a) by a solicitor—for each quarter-hour . . . . .   | 45.00 |
|   | (b) by an employee—for each quarter-hour . . . . .   | 14.40 |
| <b>Serving documents</b>                |  |       |
| 10                                      | Serving on a person 1 or more documents at the same time—  |       |
|   | (a) personal service, by a solicitor or a solicitor’s employee, if personal service is required for 1 or more of the documents served . . . . .  | 32.00 |
|   | However, if the registrar considers another amount is reasonable (having regard, for example, to the distance travelled, the time involved, and the number of attendances necessary to effect service), the amount the registrar considers reasonable. |       |
|   | (b) ordinary service . . . . .   | 20.00 |
|   | (c) service by post . . . . .  | 14.40 |
|   | (d) service by facsimile—  |       |
|   | (i) for the first page . . . . .   | 6.60  |
|   | (ii) for each extra page . . . . .   | 0.80  |
|   | (e) service by email . . . . .   | 6.60  |

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**Attendances**

|    |  |        |
|----|--|--------|
| 11 | Attendance, if capable of being done by an employee—   |        |
|    | (a) to file or deliver a document, obtain an appointment, insert an advertisement, or settle an order; or  |        |
|    | (b) to search; or  |        |
|    | (c) to do something of a similar nature . . . . .  | 20.00  |
| 12 | Attendance by telephone that does not involve the exercise of skill or legal knowledge. . . . .  | 13.30  |
| 13 | Attendance in court, mediation or case appraisal, at a compulsory conference or before the registrar, by a solicitor who appears without a barrister—for each quarter-hour . . . . .                   | 51.00  |
| 14 | Attendance for a hearing or trial held at a place other than the town where the solicitor lives or carries on business—  |        |
|    | (a) by the solicitor—  |        |
|    | (i) for the time spent in attendance at the hearing or trial—for each quarter-hour . . . .   | 45.00  |
|    | (ii) for the time the solicitor is absent from the solicitor’s place of business, including time used in travelling to or from the hearing or trial, other than in attendance at the hearing or trial— |        |
|    | (A) for an absence of 4 hours or less . . . . .  | 360.00 |
|    | (B) for an absence of more than 4 hours—for each quarter-hour to a maximum of 8 hours . . . . .  | 22.00  |
|    | (iii) the expenses the registrar considers reasonable for each day of absence, including Saturdays and Sundays; and  |        |
|    | (iv) the actual expenses of transport to and from the hearing or trial the registrar considers reasonable; or  |        |
|    | (b) by the solicitor’s employee—the amount the registrar considers reasonable.   |        |

[s 6]

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However, if the solicitor's absence is to attend more than 1 hearing or trial at the same place, the costs are to be divided proportionately.

|    |  |       |
|----|--|-------|
| 15 | Attendance at a call-over, to be apportioned if the attendance is for more than 1 proceeding . . . . . | 36.50 |
| 16 | Other attendances—   |       |
|    | (a) by a solicitor, involving skill or legal knowledge—for each quarter-hour . . . . .                 | 45.00 |
|    | (b) by an employee—for each quarter-hour . . . . .   | 14.40 |

However, the costs allowed under this item are to be reduced by 25% in relation to time necessarily spent at court before an appearance in court.

**Correspondence**

|    |   |       |
|----|---|-------|
| 17 | (1) A short letter of a formal nature, written or received, or forwarding a document without comment. . . . .       | 10.80 |
|    | (2) An ordinary letter, written or received, including a letter between principal and agent. . . . .                | 26.50 |
|    | (3) A special letter involving skill or legal knowledge, including an allowance for drafting and producing. . . . . | 29.00 |

However, if the registrar considers a higher amount is reasonable for a special letter involving skill or legal knowledge, the amount the registrar considers reasonable.

|  |  |  |
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|  | (4) Correspondence between offices of the same firm of solicitors—the allowance that would have been allowable if an agent had been engaged and the engagement was normal and reasonable in the circumstances. |  |
|--|--|--|

**Sending documents**

|    |   |      |
|----|---|------|
| 18 | Postage, carriage or transmission of documents, in addition to the other costs allowed under this schedule— |      |
|    | (a) for facsimile transmissions—  |      |
|    | (i) for the first page. . . . .   | 6.60 |

|  |      |
|--|------|
| (ii) for each extra page . . . . .   | 0.80 |
| (b) for email transmissions . . . . .  | 6.60 |
| (c) for the postage, carriage or transmission of any other document—the amount the registrar considers reasonable. |      |

**Electronic conduct of proceedings**

|  |      |
|--|------|
| 19 (1) Printing an email, sent or received, or electronically scanning or imaging a document, other than a document mentioned in subitem (3)—for each page. . . . .  | 0.40 |
| (2) Examining an electronic document or comparing electronic documents, including emails, if perusal is unnecessary—for each 100 words . . . . .   | 0.80 |
| (3) Preparing a document for disclosure, or to be exchanged electronically, by—  |      |
| (a) barcoding the document—for each page . . . . .   | 0.40 |
| (b) electronically scanning or imaging the document—for each page . . . . .  | 0.40 |
| (c) entering data about the document in a database, including delimiting the document to decide start and end pages, and carrying out quality control of the data, for example, to check for missing data and check spelling—for each document . . . . . | 3.70 |
| (4) To the extent a proceeding is conducted electronically, costs, including the costs of any electronic service provider, to the extent the registrar considers the costs have been reasonably incurred and paid.                                       |      |

**Fixed cost items**

|    |  |          |
|----|--|----------|
| 20 | Costs for issuing a claim . . . . .  | 465.00   |
| 21 | Costs for obtaining judgment under chapter 9, part 1, division 2 . . . . . | 220.00   |
| 22 | Costs for obtaining an enforcement warrant . . . . .                       | 165.00’. |

ENDNOTES

- 1 Made by the Governor in Council on 7 October 2010.
- 2 Notified in the gazette on 8 October 2010.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Justice and Attorney-General.

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