



Queensland

Uniform Civil Procedure and Other Rules Amendment Rule 2024

Subordinate Legislation 2024 No. 103

made under the

Magistrates Courts Act 1921

Supreme Court of Queensland Act 1991

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[s 1]

Part 1 Preliminary

1 Short title

This rule may be cited as the *Uniform Civil Procedure and Other Rules Amendment Rule 2024*.

2 Commencement

This rule commences on 1 July 2024.

Part 2 Amendment of Domestic and Family Violence Protection Rules 2014

3 Rules amended

This part amends the *Domestic and Family Violence Protection Rules 2014*.

4 Amendment of sch 1 (Costs in a proceeding)

Schedule 1, part 2, items 4 to 18—
omit, insert—

Drafting documents

4 Drafting a document—for each 100 words 21.40

Producing documents

5 Producing a document in final form—for each 100 words 5.15

Preparing exhibit certificates

6 Preparing an exhibit certificate—for each exhibit, including a paginated book 4.00

Copying documents

- 7 Copying a document—for each page 0.24

Perusing documents

- 8 Perusing a document—for each 100 words 5.15

Examining or comparing documents

- 9 Examining a document or comparing documents, if perusal is unnecessary—
- (a) by a solicitor—for each quarter-hour 75.85
 - (b) by an employee—for each quarter-hour 22.35

Serving documents

- 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 44.30

However, if the clerk of the DFVP court or a costs assessor 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 to be allowed is the amount the clerk or the costs assessor considers reasonable.

- (b) ordinary service, other than ordinary service of a type mentioned in paragraph (c), (d) or (e) 27.80
- (c) service by post 20.20
- (d) service by facsimile—
 - (i) for the first page 9.15
 - (ii) for each extra page 1.10
- (e) service by email 9.15

[s 4]

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 | 27.80 |
| | (b) to search | 27.80 |
| | (c) to do something of a similar nature | 27.80 |
| 12 | Attendance by telephone that does not involve the exercise of skill or legal knowledge | 18.60 |
| 13 | Attendance in a DFVP court by a solicitor who appears without a barrister—for each quarter-hour | 84.20 |
| 14 | Attendance for a hearing 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 | 77.00 |
| | (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, other than in attendance at the hearing— | |
| | (A) for an absence of 4 hours or less | 578.45 |
| | (B) for an absence of more than 4 hours—for each quarter-hour to a maximum of 8 hours | 37.35 |
| | (iii) the expenses the clerk of the DFVP court or a costs assessor considers reasonable for each day of absence, including Saturdays and Sundays | |
| | (iv) the actual expenses of transport to and from the hearing or trial the clerk of the DFVP court or a costs assessor considers reasonable | |

- (b) by the solicitor's employee—the amount the clerk of the DFVP court or a costs assessor considers reasonable

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

- | | | |
|----|---|-------|
| 15 | Attendance at a call-over or mention, to be apportioned if the attendance is for more than 1 proceeding | 50.75 |
| 16 | Other attendances— | |
| | (a) by a solicitor, involving skill or legal knowledge—for each quarter-hour | 77.00 |
| | (b) by an employee—for each quarter-hour | 22.35 |

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) Correspondence sent— | |
| | (a) written message or letter (20 words or less) | 15.50 |
| | This includes a letter forwarding documents without explanation. | |
| | (b) short letter (21 to 100 words) | 30.95 |
| | (c) any other letter—for each 100 words | 26.90 |

This covers any form of written communication including ordinary post, facsimile, email, text or other form of electronic transmission.

This includes the charges of the communication provider, other than charges for sending the correspondence by registered post, international post or courier or serving the correspondence personally.

[s 4]

For a circular letter, the first is to be allowed under this item. For each circular letter after the first, the charge under item 7 applies.

(2) Correspondence received—

- (a) receiving any correspondence, including by electronic means, and filing, including reading a message (20 words or less) and, for an electronic communication, printing 1 page for filing 15.50

For printing additional pages received electronically for filing, the charge under item 7 applies.

(b) perusing correspondence—

- (i) for the first 100 words 20.70

- (ii) for each 100 words or part after the first 100 words 10.30

- (c) if perusing the document is not reasonably necessary, to examine the document—for each page 5.20

(3) Agency correspondence—

- (a) for sending correspondence to the agent by the principal, or to the principal by the agent—costs under subitem (1)

- (b) for receiving correspondence from the agent by the principal, or from the principal by the agent—costs under subitem (2)

If engagement of the agent was normal and reasonable in the circumstances, costs may be charged under this item by the principal and the agent.

Correspondence between offices of the same firm of solicitors may be charged if it is analogous to agency correspondence and the engagement of an agent was not reasonable in the circumstances.

Note—

The word count for agency correspondence is based on the body of the correspondence, as defined in schedule 2.

Electronic conduct of proceedings

- | | | |
|--------|--|------|
| 18 (1) | Examining an electronic document or comparing electronic documents, including emails, if perusal is unnecessary—for each 100 words | 1.05 |
| (2) | Preparing a document for disclosure, or to be exchanged electronically— | |
| (a) | by barcoding the document—for each page | 0.60 |
| (b) | by electronically scanning or imaging the document—for each page | 0.60 |
| (c) | by 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 | 5.15 |
| (3) | To the extent a proceeding is conducted electronically, the costs to be allowed, including the costs of any electronic service provider, are the costs the clerk of the DFVP court or a costs assessor considers have been reasonably incurred and paid. | |

**Part 3 Amendment of Uniform Civil
Procedure Rules 1999**

5 Rules amended

This part amends the *Uniform Civil Procedure Rules 1999*.

[s 6]

6 Amendment of sch 1 (Scale of costs—Supreme Court and District Court)

Schedule 1, items 4 to 21—

omit, insert—

Drafting documents

4 Drafting a document—for each 100 words 26.75

Producing documents

5 Producing a document in final form—for each 100 words 6.45

Preparing exhibit certificates

6 Preparing an exhibit certificate—for each exhibit, including a paginated book 5.05

Copying documents

7 Copying a document—for each page 0.29

Perusing documents

8 Perusing a document—for each 100 words 6.45

Examining or comparing documents

9 Examining a document or comparing documents, if perusal is unnecessary—

(a) by a solicitor—for each quarter-hour 94.90

(b) by an employee—for each quarter-hour 28.05

Serving documents

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 55.45

However, if the registrar or a costs assessor 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 to be allowed is the amount the registrar or the costs assessor considers reasonable.

- | | |
|--|-------|
| (b) ordinary service, other than ordinary service of a type mentioned in paragraph (c), (d) or (e) | 34.75 |
| (c) service by post | 25.30 |
| (d) service by facsimile— | |
| (i) for the first page | 11.55 |
| (ii) for each extra page | 1.35 |
| (e) service by email | 11.55 |

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 | 34.75 |
| (b) to search | 34.75 |
| (c) to do something of a similar nature | 34.75 |
| 12 Attendance by telephone that does not involve the exercise of skill or legal knowledge | 23.30 |
| 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 | 105.20 |
| 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— | |

[s 6]

- | | | |
|-------|---|--------|
| (i) | for the time spent in attendance at the hearing or trial—for each quarter-hour | 96.25 |
| (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 | 723.05 |
| | (B) for an absence of more than 4 hours—for each quarter-hour to a maximum of 8 hours | 46.75 |
| (iii) | the expenses the registrar or a costs assessor considers reasonable for each day of absence, including Saturdays and Sundays | |
| (iv) | the actual expenses of transport to and from the hearing or trial the registrar or a costs assessor considers reasonable | |
| (b) | by the solicitor's employee—the amount the registrar or a costs assessor considers reasonable | |
- 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 | 63.40 |
| 16 | Other attendances— | |
| | (a) by a solicitor, involving skill or legal knowledge—for each quarter-hour | 96.25 |
| | (b) by an employee—for each quarter-hour | 28.05 |

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) Correspondence sent—

- (a) written message or letter (20 words or less) 19.40

This includes a letter forwarding documents without explanation.

- (b) short letter (21 to 100 words) 38.70

- (c) any other letter—for each 100 words 33.60

This covers any form of written communication including ordinary post, facsimile, email, text or other form of electronic transmission.

This includes the charges of the communication provider, other than charges for sending the correspondence by registered post, international post or courier or serving the correspondence personally.

For a circular letter, the first is to be allowed under this item. For each circular letter after the first, the charge under item 7 applies.

(2) Correspondence received—

- (a) receiving any correspondence, including by electronic means, and filing, including reading a message (20 words or less) and, for an electronic communication, printing 1 page for filing 19.40

For printing additional pages received electronically for filing, the charge under item 7 applies.

(b) perusing correspondence—

- (i) for the first 100 words 25.80

- (ii) for each 100 words or part after the first 100 words 12.90

- (c) if perusing the document is not reasonably necessary, to examine the document—for each page 6.50

[s 6]

- (3) Agency correspondence—
- (a) for sending correspondence to the agent by the principal, or to the principal by the agent—costs under subitem (1)
 - (b) for receiving correspondence from the agent by the principal, or from the principal by the agent—costs under subitem (2)

If engagement of the agent was normal and reasonable in the circumstances, costs may be charged under this item by the principal and the agent.

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Note—

The word count for agency correspondence is based on the body of the correspondence, as defined in schedule 3.

Electronic conduct of proceedings

- | | | |
|----|---|------|
| 18 | (1) Examining an electronic document or comparing electronic documents, including emails, if perusal is unnecessary—for each 100 words | 1.25 |
| | (2) Preparing a document for disclosure, or to be exchanged electronically— | |
| | (a) by barcoding the document—for each page | 0.71 |
| | (b) by electronically scanning or imaging the document—for each page | 0.71 |
| | (c) by 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 | 6.45 |

- (3) To the extent a proceeding is conducted electronically, the costs to be allowed, including the costs of any electronic service provider, are the costs the registrar or a costs assessor considers have been reasonably incurred and paid.

Fixed cost items

19	Instructions to sue—claim and statement of claim and service	2,123.00
20	Costs for obtaining judgment under chapter 9, part 1, division 2	558.00
21	Costs for obtaining an enforcement warrant	558.00

7 Amendment of sch 2 (Scale of costs—Magistrates Courts)

- (1) Schedule 2, part 2—
omit, insert—

Part 2 Costs (up to \$50,000)

	A Under \$2,500	B \$2,501 to \$5,000	C \$5,001 to \$20,000	D \$20,001 to \$50,000	
	\$	\$	\$	\$	
	(including GST)				
1	Instructions to sue—claim and statement of claim and service	454.55	858.55	1,343.00	1,491.00
2	Instructions to defend—notice of intention to defend and defence and filing	454.55	858.55	1,343.00	1,491.00

[s 7]

	A Under \$2,500	B \$2,501 to \$5,000	C \$5,001 to \$20,000	D \$20,001 to \$50,000
	\$	\$	\$	\$
	(including GST)			
3 Appearance in court in undefended proceedings (or in defended proceedings in which a claim or defence is not proceeded with—additional to costs for instructions to sue but including costs under item 4) to obtain judgment	119.95	200.15	303.40	333.10
4 Obtaining judgment by default	119.95	200.15	303.40	333.10
5 Preparing for trial, up to and including settlement conference—				
(a) including brief for counsel to appear at conference	516.35	1,227.00	1,975.00	2,325.00
(b) if no counsel appears at conference	464.80	1,162.00	1,802.00	2,130.00
6 Balance of preparing for trial—				
(a) including trial brief if counsel engaged	605.40	1,350.00	2,098.00	2,653.00
(b) if no counsel at trial	426.10	994.05	1,582.00	2,021.00
7 Preparing for trial, if no settlement conference—				
(a) including trial brief if counsel engaged	1,033.00	2,452.00	3,951.00	4,843.00
(b) if no counsel at trial	813.30	2,033.00	3,261.00	4,015.00
8 Counsel's fees—				

	A Under \$2,500	B \$2,501 to \$5,000	C \$5,001 to \$20,000	D \$20,001 to \$50,000
	\$	\$	\$	\$
	(including GST)			
(a) to settle claim and statement of claim, counterclaim, notice of intention to defend or notice of appeal	–	–	290.50	347.35
(b) to settle special affidavit, reply or particulars that the magistrate, registrar or costs assessor is satisfied are reasonably necessary or proper	–	–	187.30	227.20
(c) to settle interrogatories or answers to interrogatories that the magistrate, registrar or costs assessor is satisfied are reasonably necessary or proper	–	–	284.00	340.85
(d) on conference, inspection of works or other site inspection, or a similar attendance that the magistrate, registrar or costs assessor is satisfied is reasonably necessary or proper—each hour	–	–	290.50	347.35
(e) to advise on evidence or for any other opinion	–	–	303.40	388.50
(f) on trial or hearing (other than an application in a proceeding)—first day	981.20	1,110.00	1,845.00	2,246.00

[s 7]

	A Under \$2,500	B \$2,501 to \$5,000	C \$5,001 to \$20,000	D \$20,001 to \$50,000
	\$	\$	\$	\$
	(including GST)			
(g) on each subsequent day of hearing (if the matter occupies 2 or more hours of the day and the appearance is certified for by the court)	652.00	741.10	1,232.00	1,491.00
(h) on each subsequent day of hearing not included in paragraph (g)	320.20	366.60	606.70	755.25
(i) if a proceeding is heard outside the town where counsel ordinarily practises, a further fee by way of out-of-chambers fee (not less than \$60.00 a day) may be allowed for each day it is not reasonably practicable for counsel to be in attendance at chambers for a total of at least 1 hour, between 8.30a.m. and 5.30p.m.				
(j) on an application in a proceeding	–	–	296.95	347.35
(k) to hear deferred judgment	–	–	154.85	200.15
9 Solicitor on hearing—				
(a) appearance without counsel on hearing—first day	890.90	942.50	1,499.00	1,827.00

	A Under \$2,500	B \$2,501 to \$5,000	C \$5,001 to \$20,000	D \$20,001 to \$50,000
	\$	\$	\$	\$
	(including GST)			
(b) appearance without counsel on second and each subsequent day of hearing (if the matter occupies 2 or more hours of the day and the appearance is certified for by the court)	633.95	633.95	1,033.00	1,253.00
(c) attendance of clerk with solicitor acting as advocate—each day	107.75	320.20	335.60	388.50
Costs under paragraph (c) are not allowed if the court certifies the attendance of the clerk was not reasonably required.				
10 On hearing with counsel—				
(a) attendance of solicitor with counsel (if the attendance is certified for by the court)—each day	400.30	473.75	742.40	897.35
(b) attendance of clerk with counsel—each day	107.75	320.20	335.60	366.60
Costs under paragraph (b) are not allowed if the court certifies the attendance of the clerk was not reasonably required.				
11 On hearing with counsel—				
(a) counsel’s fees (if no fee is payable under item 8(f))	320.20	340.85	567.95	671.45

[s 7]

	A Under \$2,500	B \$2,501 to \$5,000	C \$5,001 to \$20,000	D \$20,001 to \$50,000
	\$	\$	\$	\$
	(including GST)			
(b) solicitor for appearance without counsel	320.20	320.20	516.35	621.10
12 Applications to the court (other than an application for an adjournment)	220.05	381.00	600.30	747.65
13 Instructions—				
(a) for disclosure, preparing list of documents and making inspection and copies of documents—				
(i) allowance to party requesting disclosure	186.70	286.80	400.30	473.75
(ii) allowance to party making disclosure	186.70	652.00	723.05	871.55
(b) for interrogatories and answers to interrogatories (including preparation, filing and perusing)—				
(i) allowance to party delivering interrogatories	186.70	494.55	520.40	600.30
(ii) allowance to party answering interrogatories	186.70	461.05	480.20	654.75
14 Enforcement hearing—				
(a) counsel’s fees	446.80	507.45	787.60	968.25
(b) if no counsel engaged	320.20	440.35	697.10	839.25
15 Enforcement warrant—				

	A Under \$2,500	B \$2,501 to \$5,000	C \$5,001 to \$20,000	D \$20,001 to \$50,000
	\$	\$	\$	\$
	(including GST)			
(a) costs of preparing warrant and attending issuing and for return—to be marked on warrant (exclusive of court or other fees)	96.25	200.15	303.40	366.60
(b) costs of registration of warrant against land	96.25	200.15	303.40	366.60
16 Warrant (other than enforcement warrant)—costs of preparing warrant and attending issuing and for return	96.25	200.15	303.40	366.60
(2) Schedule 2, part 3, items 4 to 21— <i>omit, insert—</i>				
Drafting documents				
4 Drafting a document—for each 100 words				21.40
Producing documents				
5 Producing a document in final form—for each 100 words				5.15
Preparing exhibit certificates				
6 Preparing an exhibit certificate—for each exhibit, including a paginated book				4.00
Copying documents				
7 Copying a document—for each page				0.24
Perusing documents				
8 Perusing a document—for each 100 words				5.15

[s 7]

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- 9 Examining a document or comparing documents, if perusal is unnecessary—
- (a) by a solicitor—for each quarter-hour 75.85
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- 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 44.30

However, if the registrar or a costs assessor 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 to be allowed is the amount the registrar or the costs assessor considers reasonable.

- (b) ordinary service, other than ordinary service of a type mentioned in paragraph (c), (d) or (e) 27.80
- (c) service by post 20.20
- (d) service by facsimile—
 - (i) for the first page 9.15
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Attendances

- 11 Attendance, if capable of being done by an employee—
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(b) to search	27.80
(c) to do something of a similar nature	27.80
12 Attendance by telephone that does not involve the exercise of skill or legal knowledge	18.60
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	84.20
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	77.00
(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	578.45
(B) for an absence of more than 4 hours—for each quarter-hour to a maximum of 8 hours	37.35
(iii) the expenses the registrar or a costs assessor considers reasonable for each day of absence, including Saturdays and Sundays	
(iv) the actual expenses of transport to and from the hearing or trial the registrar or a costs assessor considers reasonable	
(b) by the solicitor’s employee—the amount the registrar or a costs assessor considers reasonable	

[s 7]

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For a circular letter, the first is to be allowed under this item. For each circular letter after the first, the charge under item 7 applies.

- | | | |
|--|------------------------------|--|
| | (2) Correspondence received— | |
|--|------------------------------|--|

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- (a) receiving any correspondence, including by electronic means, and filing, including reading a message (20 words or less) and, for an electronic communication, printing 1 page for filing 15.50

For printing additional pages received electronically for filing, the charge under item 7 applies.

- (b) perusing correspondence—
- (i) for the first 100 words 20.70
- (ii) for each 100 words or part after the first 100 words 10.30
- (c) if perusing the document is not reasonably necessary, to examine the document—for each page 5.20

(3) Agency correspondence—

- (a) for sending correspondence to the agent by the principal, or to the principal by the agent—costs under subitem (1)
- (b) for receiving correspondence from the agent by the principal, or from the principal by the agent—costs under subitem (2)

If engagement of the agent was normal and reasonable in the circumstances, costs may be charged under this item by the principal and the agent.

Correspondence between offices of the same firm of solicitors may be charged if it is analogous to agency correspondence and the engagement of an agent was not reasonable in the circumstances.

Note—

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Electronic conduct of proceedings

[s 7]

18	(1) Examining an electronic document or comparing electronic documents, including emails, if perusal is unnecessary—for each 100 words	1.05
	(2) Preparing a document for disclosure, or to be exchanged electronically—	
	(a) by barcoding the document—for each page	0.60
	(b) by electronically scanning or imaging the document—for each page	0.60
	(c) by 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	5.15
	(3) To the extent a proceeding is conducted electronically, the costs to be allowed, including the costs of any electronic service provider, are the costs the registrar or a costs assessor considers have been reasonably incurred and paid.	

Fixed cost items

19	Instructions to sue—claim and statement of claim and service	1,698.00
20	Costs for obtaining judgment under chapter 9, part 1, division 2	446.40
21	Costs for obtaining an enforcement warrant	446.40

ENDNOTES

- 1 Made by the Governor in Council on 27 June 2024.
- 2 Notified on the Queensland legislation website on 28 June 2024.
- 3 The administering agency is the Department of Justice and Attorney-General.

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