

# Uniform Civil Procedure (Fees) Regulation 2019

Explanatory notes for SL 2019 No. 168

Made under the

*State Penalties Enforcement Act 1999*

*Supreme Court of Queensland Act 1991*

*Taxation Administration Act 2001*

*Workers' Compensation and Rehabilitation Act 2003*

## General Outline

### Short Title

*Uniform Civil Procedure (Fees) Regulation 2019*

### Authorising law

Section 165 of the *State Penalties Enforcement Act 1999*

Section 92 of the *Supreme Court of Queensland Act 1991*

Section 154 of the *Taxation Administration Act 2001*

Section 584 of the *Workers' Compensation and Rehabilitation Act 2003*

### Policy objectives and the reasons for them

The *Uniform Civil Procedure (Fees) Regulation 2009* (2009 Regulation), made under the *Supreme Court of Queensland Act 1991* (the Act), will automatically expire on 1 September 2019 under section 54 of the *Statutory Instruments Act 1992*.

Section 92 of the Act provides that the Governor in Council may make regulations under the Act, including to prescribe fees and costs for the Supreme Court, District Court, Magistrates Courts or Planning and Environment Court (the Courts).

The policy objective of the *Uniform Civil Procedure (Fees) Regulation 2019* (2019 Regulation) is to allow for the continued collection of fees for the provision of registry and related services for civil proceedings in the Courts.

The 2019 Regulation is in substantially the same form as the 2009 Regulation, with minor changes necessary for updating and consistency with current drafting practice.

## **Achievement of policy objectives**

The policy objectives of the 2019 Regulation are achieved by remaking the 2009 Regulation in substantially the same form.

## **Consistency with policy objectives of authorising law**

The 2019 Regulation is consistent with the policy objectives the Act, that is, to support the efficient and effective provision of court services across Queensland.

## **Inconsistency with policy objectives of other legislation**

The 2019 Regulation is not inconsistent with the policy objectives of other legislation.

## **Benefits and costs of implementation**

The 2019 Regulation supports the operation of the Act by allowing for the continued collection of fees associated with civil proceedings in the Courts. There are no anticipated implementation costs for the 2019 Regulation.

## **Consistency with fundamental legislative principles**

The 2019 Regulation is consistent with fundamental legislative principles.

## **Consultation**

The Queensland Productivity Commission (QPC) was consulted regarding the requirements under the *Queensland Government Guide to Better Regulation* (Guide) for the remaking of the 2009 Regulation. QPC considers that the objectives for sunset reviews under the Guide have been satisfied and that no further regulatory impact analysis is required.