

Queensland



Justices Act 1886

JUSTICES (FEES) REGULATION 1992

**Reprinted as in force on 28 January 1998
(includes amendments up to SL No. 457 of 1997)**

Reprint No. 1B

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Information about this reprint

This regulation is reprinted as at 28 January 1998. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

Also see endnotes for information about—

- when provisions commenced
- editorial changes made in earlier reprints.

Queensland



JUSTICES (FEES) REGULATION 1992

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JUSTICES (FEES) REGULATION 1992

[as amended by all amendments that commenced on or before 28 January 1998]

Short title

1. This regulation may be cited as the *Justices (Fees) Regulation 1992*.¹

Meaning of “application”

1A. In this regulation—

“application”, to a court, means—

- (a) an application starting a proceeding; or
- (b) an application in or for a proceeding that has started (whether or not the proceeding was started by complaint).

(2) To avoid any doubt, it is declared that—

- (a) an application to the clerk or another officer of a court is not an application to a court; and
- (b) a request to a court is an application to the court only if the provision under which the request is made expressly indicates that the request must be made by application to a court.

Fees

3.(1) The fees payable to the clerk of a Magistrates Court in respect of a proceeding under the Act are set out in the schedule, part 1.

(2) The fees payable under part 4A of the Act are in the schedule, part 2.

¹ This instrument, made as an order in council, is taken, under the *Statutory Instruments Act 1992*, section 20C(3), to be a regulation.

Where copy of complaint to be lodged

4. If, in relation to a proceeding before a Magistrates Court, a warrant is issued to apprehend the defendant, the complainant must—

- (a) if the warrant is issued at the office of the clerk of the court—
 - (i) lodge a copy of the complaint with the clerk of the court at the time of issue of the warrant; and
 - (ii) pay the prescribed fee; or
- (b) if the warrant is issued outside the office of the clerk of the court—
 - (i) lodge a copy of the complaint with the nearest clerk of the court as soon as is practicable after its issue; and
 - (ii) within 3 days of its issue, pay the prescribed fee.

Copy of summons or warrant to be lodged

5. If—

- (a) a summons to; or
- (b) a warrant for the apprehension of;

a witness is issued by a justice outside the office of the clerk of the court, the party on whose behalf the summons or warrant is issued must, within 1 day after the hearing of the complaint in relation to which the summons or warrant is issued, lodge with the clerk of the court, a copy of the summons or warrant, and pay the prescribed fee.

SCHEDULE

FEES

section 3

PART 1—GENERAL

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1. For lodging with the clerk of the court a complaint or (if the original complaint is not lodged) a copy of a complaint and issuing	54.00
1A. For an application ² or appeal to a court, other than an application or appeal under—	
(a) the Act, section 39(1), 104A(1), 142(6), 142A(12), 147A(2) or 166A(1); or	
(b) the Act, part 4; or	
(c) the Act part 5, division 2; or	
(d) the <i>Domestic Violence (Family Protection) Act 1989</i> ; or	
(e) the <i>Penalties and Sentences Act 1992</i>	60.00
2. For issuing a summons to, or a warrant for the apprehension of, a witness (each witness)	9.50
3. For lodging with the clerk of the court a copy of a summons to, or a warrant for the apprehension of, a witness (in circumstances where the summons or	

² See Section 1A (Meaning of “application”)

SCHEDULE (continued)

warrant has been issued by a justice not within the office of the clerk of the court) (each witness)	9.50
4. For lodging a demand or request for drawing up a conviction or order	7.50
5. For the inspection of a record in a matter, each record inspected—	
(a) if not more than 4 years have elapsed since the matter was heard and determined	7.50
(b) if more than 4 years have elapsed since the matter was heard and determined	14.00
6. For each copy of evidence and records in a matter to which the <i>Recording of Evidence Act 1962</i> does not apply—each page	1.50

PART 2—FEES RELATING TO INFRINGEMENT NOTICES

7. Enforcement notice filing fee	42.00
8. Warrant execution fee	66.00

ENDNOTES

1 Index to endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 28 January 1998. Future amendments of the Justices (Fees) Regulation 1992 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	(prev)	=	previously
amd	=	amended	proc	=	proclamation
ch	=	chapter	prov	=	provision
def	=	definition	pt	=	part
div	=	division	pubd	=	published
exp	=	expires/expired	R[X]	=	Reprint No.[X]
gaz	=	gazette	RA	=	Reprints Act 1992
hdg	=	heading	reloc	=	relocated
ins	=	inserted	renum	=	renumbered
lap	=	lapsed	rep	=	repealed
notfd	=	notified	s	=	section
om	=	omitted	sch	=	schedule
o in c	=	order in council	sdiv	=	subdivision
p	=	page	SIA	=	Statutory Instruments Act 1992
para	=	paragraph	SL	=	subordinate legislation
prec	=	preceding	sub	=	substituted
pres	=	present	unnum	=	unnumbered
prev	=	previous			

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	to SL No. 289 of 1996	1 November 1996
1A	to SL No. 270 of 1997	19 September 1997

5 List of legislation

Justices (Fees) Regulation 1992 SL No. 196 (prev Justices (Fees) Order 1992)

made by the Governor in Council on 25 June 1992
pubd gaz 26 June 1992 pp 1942–6
ss 1–2 commenced on date of publication
remaining provisions commenced 1 July 1992 (see s 2)
exp 25 June 2002 (see SIA s 54)

as amended by—

Department of Justice (Variation of Fees) Regulation 1996 SL No. 289 pts 1, 4

notfd gaz 25 October 1996 pp 764–7
ss 1–2 commenced on date of notification
remaining provisions commenced 1 November 1996 (see s 2)

Department of Justice (Variation of Fees) Regulation 1997 SL No. 270 pts 1, 4

notfd gaz 29 August 1997 pp 1987–9
ss 1–2 commenced on date of notification
remaining provisions commenced 1 September 1997 (see s 2)

Justice Legislation (Variation of Fees) Regulation 1997 SL No. 457 pts 1–2

notfd gaz 19 December 1997 pp 1770–77
ss 1–2 commenced on date of notification
remaining provisions commenced 19 January 1998 (see s 2)

6 List of annotations

Short title

s 1 sub 1996 SL No. 289 s 9

Meaning of “application”

s 1A ins 1997 SL No. 457 s 4

Commencement

s 2 om 1996 SL No. 289 s 9

Fees

s 3 amd 1996 SL No. 289 s 10

Repeal

s 6 om 1996 SL No. 289 s 11

SCHEDULE—FEES

sub 1996 SL No. 289 s 12

amd 1997 SL No. 270 s 8; 1997 SL No. 457 s 5