

Queensland



Justices Act 1886

JUSTICES (FEES) REGULATION 1992

**Reprinted as in force on 1 September 2002
(includes amendments up to SL No. 111 of 2001)**

This is the reprint current on the repeal date

Reprint No. 2B

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy

Information about this reprint

This regulation is reprinted as at 1 September 2002. 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.**

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

Replacement reprint date If the date of a hard copy reprint is the same as the date shown on another hard copy reprint it means that one is the replacement of the other.

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JUSTICES (FEES) REGULATION 1992

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JUSTICES (FEES) REGULATION 1992

[as amended by all amendments that commenced on or before 1 September 2002]

1 Short title

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

3 Fees

The fees payable to the clerk of a Magistrates Court in respect of a proceeding under the Act are set out in the schedule.

4 Where copy of complaint to be lodged

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.

5 Copy of summons or warrant to be lodged

If—

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

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

Justices (Fees) Regulation 1992

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

FEES RELATING TO A PROCEEDING

	\$
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	57.00
2. For issuing a summons to, or a warrant for the apprehension of, a witness (each witness).	9.90
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 warrant has been issued by a justice not within the office of the clerk of the court) (each witness).	9.90
4. For lodging a demand or request for drawing up a conviction or order.	8.00
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	8.00
(b) if more than 4 years have elapsed since the matter was heard and determined	15.00
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

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 1 September 2002.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	prev	= previous
amd	= amended	(prev)	= previously
amdt	= amendment	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
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 1992
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered

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
1B	to SL No. 457 of 1997	30 January 1998
1C	to SL No. 270 of 1997	29 October 1998
1D	to SL No. 337 of 1998	14 January 1999
2	to SL No. 66 of 2000	5 May 2000
2A	to SL No. 111 of 2001	25 January 2002

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 1 September 2002 (see SIA s 54)

amending legislation—

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 1770–7
 ss 1–2 commenced on date of notification
 remaining provisions commenced 19 January 1998 (see s 2)

Note—This regulation was in force from 19 January 1998 to 22 April 1998 but it ceased to have effect when it was disallowed by resolution of the Legislative Assembly passed on 22 April 1998 (see Hansard 22 April 1998 p 804, Votes and Proceedings 22 April 1998 p 1074 and SIA 1992 ss 50 and 51).

Justice Legislation (Variation of Fees) Regulation 1998 SL No. 337 pts 1, 4

notfd gaz 18 December 1998 pp 1551–7
 ss 1–2 commenced on date of notification
 remaining provisions commenced 1 January 1999 (see s 2)

Justices Legislation (Variation of Fees and Costs) Regulation 2000 SL No. 66 pts 1, 6
 notfd gaz 20 April 2000 pp 1533–6
 ss 1–2 commenced on date of notification
 remaining provisions commenced 1 May 2000 (see s 2)

Justice Legislation (Variation of Fees and Costs) Regulation 2001 SL No. 111 pts 1, 5
 notfd gaz 20 July 2001 pp 1138–40
 ss 1–2 commenced on date of notification
 remaining provisions commenced 30 July 2001 (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 (disallowed 22 April 1998)

Commencement

s 2 om 1996 SL No. 289 s 9

Fees

s 3 amd 1996 SL No. 289 s 10; 2001 SL No. 111 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 (disallowed 22 April 1998);
 1998 SL No. 337 s 8

sub 2000 SL No. 66 s 12; 2001 SL No. 111 s 11