



Queensland

# Uniform Civil Procedure (Fees) and Other Legislation Amendment Regulation (No. 1) 2013

**Subordinate Legislation 2013 No. 289**

made under the

*Supreme Court of Queensland Act 1991*

## Contents

---

		Page
<b>Part 1</b>	<b>Preliminary</b>	
1	Short title . . . . .	3
<b>Part 2</b>	<b>Amendment of Criminal Practice (Fees) Regulation 2010</b>	
2	Regulation amended . . . . .	3
3	Amendment of schedule (Fees) . . . . .	3
<b>Part 3</b>	<b>Amendment of Uniform Civil Procedure (Fees) Regulation 2009</b>	
4	Regulation amended . . . . .	4
5	Amendment of sch 1 (Fees payable in the Supreme Court and District Court) . . . . .	4
6	Amendment of sch 2 (Magistrates Courts fees) . . . . .	4
<b>Part 4</b>	<b>Amendment of Uniform Civil Procedure Rules 1999</b>	
7	Rules amended . . . . .	4
8	Amendment of r 31 (Applications in a proceeding) . . . . .	4
9	Amendment of r 130B (Provisions of this division to prevail) . . . . .	5
10	Amendment of r 386 (Costs) . . . . .	5
11	Amendment of r 488 (Application of pt 6) . . . . .	5
12	Replacement of ch 13, pt 9, div 3, hdg (Directions conferences) . . . . .	5
13	Amendment of r 523 (Court may require directions conferences) . . . . .	5

Contents

---

14	Amendment of r 524 (Holding directions conference) . . . . .	6
15	Amendment of r 525 (Failure to attend directions conference). . .	6
16	Amendment of r 526 (General directions about directions conferences) . . . . .	6
17	Amendment of r 553 (Conference if personal injury damages claim) . . . . .	6
18	Amendment of r 599 (Requirements for notice of intention to apply for grant) . . . . .	7
19	Amendment of r 692 (Amendment) . . . . .	7
20	Amendment of r 705 (Costs statement) . . . . .	7
21	Insertion of new r 713A . . . . .	7
	713A Service of order appointing costs assessor . . . . .	8
22	Amendment of r 733 (Offer to settle costs). . . . .	8
23	Amendment of r 734 (Acceptance of offer to settle costs) . . . . .	8
24	Insertion of new r 737A . . . . .	9
	737A Information about outcome of costs assessment. . . . .	9
25	Amendment of r 738 (Written reasons for decision). . . . .	9
26	Amendment of r 743I (Application of other rules). . . . .	9
27	Amendment of r 976 (Office hours) . . . . .	10
28	Amendment of sch 3 (Scale of costs—Magistrates Courts). . . . .	10

---

## **Part 1 Preliminary**

### **1 Short title**

This regulation may be cited as the *Uniform Civil Procedure (Fees) and Other Legislation Amendment Regulation (No. 1) 2013*.

## **Part 2 Amendment of Criminal Practice (Fees) Regulation 2010**

### **2 Regulation amended**

This part amends the *Criminal Practice (Fees) Regulation 2010*.

### **3 Amendment of schedule (Fees)**

(1) Schedule, item 8, ‘4p.m. and 9a.m.’—

*omit, insert—*

4.30p.m. and 8.30a.m.

(2) Schedule, item 9, ‘9a.m. or between 4p.m.’—

*omit, insert—*

8.30a.m. or between 4.30p.m.

[s 4]

---

## **Part 3**                      **Amendment of Uniform Civil Procedure (Fees) Regulation 2009**

### **4**            **Regulation amended**

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

### **5**            **Amendment of sch 1 (Fees payable in the Supreme Court and District Court)**

Schedule 1, item 8, ‘4p.m. and 9a.m.’—

*omit, insert*—

4.30p.m. and 8.30a.m.

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

Schedule 2, part 1, item 9, ‘9a.m. or between 4p.m.’—

*omit, insert*—

8.30a.m. or between 4.30p.m.

## **Part 4**                      **Amendment of Uniform Civil Procedure Rules 1999**

### **7**            **Rules amended**

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

### **8**            **Amendment of r 31 (Applications in a proceeding)**

Rule 31(1), ‘within a proceeding’—

---

*omit, insert—*

in a proceeding

**9 Amendment of r 130B (Provisions of this division to prevail)**

Rule 130B, '(other than rules 116, 117, 118, 367 and 371)'—  
*omit.*

**10 Amendment of r 386 (Costs)**

Rule 386, 'costs of and resulting from'—  
*omit, insert—*

costs thrown away as a result of

**11 Amendment of r 488 (Application of pt 6)**

(1) Rule 488(1)—  
*omit.*

(2) Rule 488(2), 'However, this'—  
*omit, insert—*

This

**12 Replacement of ch 13, pt 9, div 3, hdg (Directions conferences)**

Chapter 13, part 9, division 3, heading—  
*omit, insert—*

**Division 3 Settlement conferences**

**13 Amendment of r 523 (Court may require directions conferences)**

(1) Rule 523, heading, 'directions conferences'—

[s 14]

---

*omit, insert—*

**settlement conference**

(2) Rule 523, ‘directions conference’—

*omit, insert—*

settlement conference

**14 Amendment of r 524 (Holding directions conference)**

Rule 524, ‘directions conference’—

*omit, insert—*

settlement conference

**15 Amendment of r 525 (Failure to attend directions conference)**

Rule 525, ‘directions conference’—

*omit, insert—*

settlement conference

**16 Amendment of r 526 (General directions about directions conferences)**

Rule 526, ‘directions conferences’—

*omit, insert—*

settlement conferences

**17 Amendment of r 553 (Conference if personal injury damages claim)**

Rule 553(2), ‘directions conference’

*omit, insert—*

settlement conference

---

**18 Amendment of r 599 (Requirements for notice of intention to apply for grant)**

Rule 599(3)—

*omit, insert—*

- (3) The notice must be published in a newspaper circulating throughout the State or a newspaper approved for the area of the deceased's last known address by the Chief Justice under a practice direction.

**19 Amendment of r 692 (Amendment)**

Rule 692(2), 'of and caused'—

*omit, insert—*

thrown away

**20 Amendment of r 705 (Costs statement)**

Rule 705—

*insert—*

- (2) The costs statement must—
- (a) contain sufficient details to enable the party liable to pay the costs to understand the basis for the costs, prepare an objection to the costs statement and obtain advice about an offer to settle the costs; and
  - (b) if practicable, have attached to it copies of all invoices for the disbursements claimed in the costs statement.

**21 Insertion of new r 713A**

Chapter 17A, part 3, division 2, after rule 713—

*insert—*

[s 22]

---

### **713A Service of order appointing costs assessor**

The applicant for an order appointing a costs assessor under rule 713 must serve a copy of the order on the costs assessor appointed by the order at least 14 days after the day the order is made.

*Note—*

See rule 733(3)(c) for when an offer to settle costs ends.

## **22 Amendment of r 733 (Offer to settle costs)**

(1) Rule 733(2)(a)—

*omit.*

(2) Rule 733(2)(b) and (c)—

*renumber* as rule 733(2)(a) and (b).

(3) Rule 733(3)(c)—

*omit, insert—*

(c) ends when a copy of an order appointing a costs assessor is served on the assessor.

## **23 Amendment of r 734 (Acceptance of offer to settle costs)**

(1) Rule 734(3)(b), ‘assessment, is equal to, or more than, the’—

*omit, insert—*

assessment, is more than the

(2) Rule 734(4), ‘is less than the’—

*omit, insert—*

is equal to, or less than, the

(3) Rule 734(5)—

*omit, insert—*

(5) For this rule, the costs of the assessment are the costs incurred for the assessment on and from the



---

date of service of the offer to settle, and include a fee payable for the assessment.

## **24 Insertion of new r 737A**

After rule 737—

*insert—*

### **737A Information about outcome of costs assessment**

- (1) A party may make a written request to the costs assessor for information about the outcome of the costs assessment for each item in the costs statement.
- (2) If a costs assessor receives a request under subrule (1), the costs assessor must, within 7 days after receiving the request, give a document to the party, free of charge, that shows the outcome of the assessment for each item in the costs statement.
- (3) The document mentioned in subrule (2) may be a copy of the costs statement amended to show the outcome of the assessment.

## **25 Amendment of r 738 (Written reasons for decision)**

Rule 738(1), ‘14 days’—

*omit, insert—*

21 days

## **26 Amendment of r 743I (Application of other rules)**

- (1) Rule 743I(1), before the first dot point—

*insert—*

- rule 713A

[s 27]

---

- (2) Rule 743I(1), as amended under subsection (1), after the ninth dot point—

*insert—*

- rule 737A

## **27 Amendment of r 976 (Office hours)**

- (1) Rule 976(1), ‘9.00a.m. and 4.00p.m.’—

*omit, insert—*

8.30a.m. and 4.30p.m.

- (2) Rule 976(2) and (3)—

*omit, insert—*

- (2) However, the court or the registrar may direct that the registry is to be opened or closed at other times.

## **28 Amendment of sch 3 (Scale of costs—Magistrates Courts)**

- (1) Schedule 3, part 2, item 5, ‘directions conference’—

*omit, insert—*

settlement conference

- (2) Schedule 3, part 2, item 10, ‘Other applications’—

*omit, insert—*

Applications

- (3) Schedule 3, part 2, item 15—

*omit.*

ENDNOTES

- 1 Made by the Governor in Council on 19 December 2013.
- 2 Notified on the Queensland legislation website on 20 December 2013.
- 3 The administering agency is the Department of Justice and Attorney-General.

© State of Queensland 2013  
Authorised by the Parliamentary Counsel