

Queensland

Supreme Court of Queensland Act 1991

Uniform Civil Procedure (Fees) Regulation 2019

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Queensland

Uniform Civil Procedure (Fees) Regulation 2019

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Uniform Civil Procedure (Fees) Regulation 2019

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Uniform Civil Procedure (Fees) Regulation 2019*.

2 Definitions

The dictionary in schedule 4 defines particular words used in this regulation.

2A Rounding of amounts expressed as numbers of fee units

(1) This section applies for working out the amount of a fee expressed in this regulation as a number of fee units.

(2) For the purpose of the *Acts Interpretation Act 1954*, section 48C(3), the amount is to be rounded—

(a) if the result is not more than $100—to the nearest multiple of 5 cents (rounding one-half upwards); or

(b) if the result is more than $100 but not more than $1,000—to the nearest multiple of 10 cents (rounding one-half upwards); or

(c) if the result is more than $1,000 but not more than $5,000—to the nearest dollar (rounding one-half upwards); or

(d) if the result is more than $5,000 but not more than $100,000—to the nearest multiple of 10 dollars (rounding one-half upwards).

Example—

If a fee were 35 fee units and the value of a fee unit were $1.015, the number of dollars obtained by multiplying 35 by $1.015 would be

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$35.525. Because $35.525 is halfway between $35.50 and $35.55, it is rounded upwards, so the amount of the fee would be $35.55.

Part 2 Court fees

Division 1 Supreme Court and District Court

Subdivision 1 Fees generally

3 Fees for Supreme Court and District Court generally

(1) Schedule 1 and this part, other than divisions 2 and 3, apply for the Supreme Court and the District Court and set out the fees payable for proceedings in the Supreme Court and the District Court.

(2) Schedule 1 does not apply in relation to or affect fees or percentages directed to be taken or paid by an Act for which no fee or percentage is stated in schedule 1.

(3) A registrar, enforcement officer, marshal or marshal's officer need not pay a fee mentioned in schedule 1.

(4) To remove any doubt, it is declared that for applying schedule 1 and this part, other than divisions 2 and 3, a liquidator, receiver, administrator or other person acting for, or on behalf of, a corporation in a proceeding must pay the fee payable by a corporation.

Subdivision 2 Setting down fees and hearing fees

4 Setting down fee and hearing fee

(1) A setting down fee and hearing fee are payable for a hearing or trial of a proceeding under this section, unless—

(a) the hearing or trial is set down for 1 day or less; or

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(b) the hearing relates to an interlocutory application.

(2) Unless a court on application by a party to the proceeding orders otherwise, the fees are payable by—

(a) for a claim for which a request for trial date is filed under the *Uniform Civil Procedure Rules 1999*, rule 467—the plaintiff; or

(b) for an application that is an originating process—the applicant; or

(c) for an appeal to the Court of Appeal—the appellant; or

(d) for an appeal to the District Court for which a certificate of readiness is filed under the *Uniform Civil Procedure Rules 1999*, rule 790—the appellant.

(3) However, another person may pay the fees without affecting the power of the court to make an order for costs in relation to the fees.

(4) The fees must be paid—

(a) for a proceeding mentioned in subsection (2)(a) or (d)—when the request for trial date or certificate of readiness is filed; or

(b) for a proceeding mentioned in subsection (2)(b) or (c)—by the earlier of the following—

(i) the day that is 10 business days after a registrar sets a date for the hearing or trial of the proceeding or adds the appeal to a list of appeals under the *Uniform Civil Procedure Rules 1999*, rule 790(4);

(ii) 9.30a.m. on the first day set for the hearing or trial of the proceeding.

(5) If additional hearing or trial dates are set for the proceeding, a hearing fee for the additional hearing or trial dates is payable by the earlier of the following—

(a) the day that is 10 business days after the additional hearing or trial dates are set;

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(b) 9.30a.m. on the first day set for the additional hearing or trial dates.

5 Non-payment of setting down fee and hearing fee

(1) If a party to a proceeding fails to pay the setting down fee or a hearing fee for the proceeding under section 4—

(a) a registrar may list the matter of non-payment for hearing before the court and on hearing the matter the court may make an order or give the directions it considers appropriate about the matter; or

(b) the court may order that a hearing or trial relating to the proceeding is not to take place except with the court's leave; or

(c) the court may vacate any hearing or trial date previously set for the proceeding.

(2) Subsection (1) does not limit the power of the court to make another order in relation to the proceeding.

6 Refund of setting down fee and hearing fee

A registrar must refund 75% of the setting down fee and hearing fee paid by a party to a proceeding if—

(a) the party gives the registrar a request for refund of the fees in the approved form, at least 10 business days before the first day set for the hearing or trial of the proceeding, stating the hearing or trial will not happen; and

(b) the hearing or trial of the proceeding does not happen.

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Subdivision 3 Reduced fees

7 General provisions

(1) A party to a proceeding may apply under section 8, 9 or 10 for an order that the party pay the reduced fee instead of 1 of the following fees for the proceeding (each a ***relevant fee***)—

(a) a fee mentioned in schedule 1, item 1 on filing a document starting the proceeding;

(b) for a party other than a corporation—a fee mentioned in schedule 1, item 2 on filing a document starting the proceeding;

(c) a setting down fee;

(d) a hearing fee.

(2) However, a person may not make an application under section 8, 9 or 10—

(a) for a proceeding to which the *Vexatious Proceedings Act 2005*, section 10(2) applies; or

(b) for an application for leave under the *Vexatious Proceedings Act 2005*, section 11, unless and until the leave is granted.

(3) If an order made under section 8, 9 or 10 states the day by which the reduced fee must be paid, the reduced fee is payable on or before that day.

(4) If an order is made under section 8, 9 or 10 for a party to a proceeding to pay the reduced fee instead of a fee mentioned in subsection (1)(a) or (b) for the proceeding, a setting down fee and hearing fee are not payable for the proceeding.

(5) Also, if an order is made under section 8, 9 or 10 for a party to a proceeding to pay the reduced fee instead of the setting down fee for the proceeding, a hearing fee is not payable for the proceeding.

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8 Particular applications registrar must approve

(1) This section applies to a party to a proceeding who is an individual if the party—

(a) has been given legal assistance under the *Legal Aid Queensland Act 1997* for the proceeding; or

(b) is the holder of—

(i) a current health care card, pensioner concession card or seniors health card under the *Social Security Act 1991* (Cwlth); or

(ii) another card issued by the Commonwealth that certifies the holder's current entitlement to a Commonwealth health concession; or

(c) is receiving a youth allowance, an austudy payment or a benefit under the ABSTUDY scheme under the *Social Security Act 1991* (Cwlth).

(2) The party may apply to a registrar for an order that the party pay the reduced fee instead of a relevant fee for the proceeding.

Note—

See, however, section 7(2).

(3) The application must—

(a) be in the approved form; and

(b) be accompanied by proof of a matter mentioned in subsection (1).

(4) On receipt of an application made under this section, the registrar must, by order, approve that the party pay the reduced fee instead of the relevant fee for the proceeding.

(5) The order must state the day by which the reduced fee must be paid.

(6) Subsection (5) does not apply if the relevant fee has been paid before the order is made.

Note—

For refunds of excess amounts paid, see section 12.

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(7) In this section—

holder, of a card, does not include a dependant of the person who is issued the card.

9 Financial hardship

(1) This section applies to a party to a proceeding who is an individual if the party has not made an application under section 8.

(2) The party may apply in the approved form to a registrar for an order that the party pay the reduced fee instead of a relevant fee for the proceeding on the ground of financial hardship.

Note—

See, however, section 7(2).

(3) Any information or documents included in the approved form, or attached to or given with the approved form, in support of the party's application must be verified by statutory declaration.

(4) In considering the application, the registrar must have regard to the party's income, day-to-day living expenses, bank balances and cash on hand.

(5) If the registrar reasonably believes there is a ground of financial hardship, the registrar may, by order, approve that the party pay the reduced fee instead of the relevant fee for the proceeding.

(6) The registrar may decide the application summarily and without extensive investigation.

(7) The order must state the day by which the reduced fee must be paid.

(8) Subsection (7) does not apply if the relevant fee has been paid before the order is made.

Note—

For refunds of excess amounts paid, see section 12.

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10 Corporations

(1) This section applies to a party to a proceeding, other than a proceeding under the Corporations Act or the *Admiralty Act 1988* (Cwlth), if the party is a corporation.

(2) The party may apply in the approved form to a registrar for an order that the party pay the reduced fee instead of a relevant fee for the proceeding.

Note—

See, however, section 7(2).

(3) The registrar may, by order, approve that the party pay the reduced fee instead of the relevant fee for the proceeding only if the registrar reasonably believes the party does not have, and can not reasonably obtain from another source, sufficient funds to pay the relevant fee.

(4) The order must state the day by which the reduced fee must be paid.

(5) Subsection (4) does not apply if the relevant fee has been paid before the order is made.

Note—

For refunds of excess amounts paid, see section 12.

11 Review of registrar's decision

(1) A party who has made an application to a registrar under section 8, 9 or 10 in relation to a proceeding and is dissatisfied with the registrar's decision on the application may apply to the court for a review of the registrar's decision.

(2) On the review, the court may—

(a) consider the application with or without a hearing; and

(b) consider anything the registrar was required to consider when making the decision; and

(c) make any order the court considers appropriate.

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12 Refund of excess amounts paid

(1) This section applies if—

(a) under section 8, 9 or 10 a registrar orders that a party to a proceeding pay the reduced fee instead of a relevant fee for the proceeding; and

(b) the party has paid the relevant fee, or another relevant fee mentioned in section 7(1) that is no longer payable for the proceeding.

(2) The registrar must refund to the party any amount paid by the party for a fee mentioned in subsection (1)(b) that is more than the amount payable by the party for the fee under the order.

Subdivision 4 Fees for accounts

13 Fees if account taken by registrar

(1) This section applies if an account of an accounting party in the Supreme Court or the District Court is taken before a registrar.

(2) The fees for taking the account—

(a) must be paid by the party having the conduct of the order under which the account is taken and are part of that party's costs of the proceeding, unless the court or a judge otherwise orders; and

(b) must be paid when the certificate stating the result of the taking of the account is filed.

(3) The registrar must include the fees in the account when the fees are paid, unless the court or a judge otherwise directs.

(4) The registrar may require a deposit of not more than the fees payable on the amount that, from the account, appears to have been received.

(5) If the registrar requires a deposit under subsection (4), the registrar must make a note of the deposit in the account when the deposit is paid.

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(6) In this section—

accounting party see the *Uniform Civil Procedure Rules 1999*, rule 530(2).

Division 2 Magistrates Courts

14 Fees for Magistrates Courts

(1) Schedule 2 and this part, other than divisions 1 and 3, apply for Magistrates Courts and set out the fees payable for proceedings in a Magistrates Court.

(2) An enforcement officer need not pay a fee mentioned in schedule 2.

Division 3 Planning and Environment Court

15 Fees for Planning and Environment Court

Schedule 3 and this part, other than divisions 1 and 2, apply for the Planning and Environment Court and set out the fees payable for proceedings in the Planning and Environment Court.

Division 4 General

16 Fees if state-related party

(1) In a proceeding to which a state-related person is a party, the state-related person need not prepay any fees of court.

(2) However, if judgment is given against another party in the proceeding and the state-related person has paid fees of court, the state-related person may recover the fees of court with costs from the other party.

(3) In this section—

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state-related person means—

(a) the Sovereign; or

(b) the State; or

(c) an entity whose expenditure is payable, in whole or part, out of amounts from the consolidated fund; or

(d) a person acting for the State or for an entity mentioned in paragraph (c).

17 Fees if assessment of costs

(1) The fees payable on the assessment of costs in the Supreme Court, the District Court, a Magistrates Court or the Planning and Environment Court are—

(a) payable on the allowance of any amount on the assessment; and

(b) to be fixed by the assessing registrar; and

(c) to be paid by the solicitor or party filing the costs statement.

(2) The assessing registrar may require a deposit, of not more than the fees payable on the full amount of the costs as submitted for assessment, before the assessment is started.

(3) If the assessing registrar requires a deposit under subsection (2), the assessing registrar must make a note of the deposit on the costs statement when the deposit is paid.

18 Deposit for particular fees

(1) A registrar, sheriff or marshal may require a deposit on account of fees that apply to a proceeding in the Supreme Court, the District Court or a Magistrates Court—

(a) before the proceeding is started; or

(b) at any time during the proceeding.

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(2) If a registrar, sheriff or marshal requires a deposit under subsection (1), the registrar, sheriff or marshal must make a note of the deposit on the court file when the deposit is paid.

Part 3 Allowances for witnesses and interpreters

Division 1 Preliminary

19 Definitions for part

In this part—

audio link see the *Evidence Act 1977*, section 39C.

audio visual link see the *Evidence Act 1977*, schedule 3.

expert means a person who would, if called as a witness at the trial of a proceeding, be qualified to give opinion evidence as an expert witness in relation to an issue arising in the proceeding.

non-professional witness means a witness who attends court to give evidence of a non-professional nature.

prisoner see the *Corrective Services Act 2006*, schedule 4.

professional witness means a witness who attends court to give evidence of a professional nature.

public transport means any form of passenger transport that is available for use by the public on payment of a fare.

relevant person means—

(a) an expert; or

(b) an interpreter; or

(c) a non-professional witness; or

(d) a professional witness.

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19A References to attending court

A reference in this division or division 2 to attending court includes a reference to attending court by audio link or audio visual link.

Division 2 Witnesses and interpreters other than particular prisoners

20 Application of division

(1) This division does not apply to a prisoner to whom section 29 applies.

(2) Also, if a relevant person, other than an interpreter, attends 2 or more proceedings on the same day, the amount to be paid to the person for each proceeding must be a reasonable share of the total for all the proceedings.

21 Allowances

(1) A relevant person is entitled to be paid the following allowances under this division for attendance at court—

(a) a travelling allowance;

(b) an accommodation allowance;

(c) an attendance allowance.

(2) The travelling allowance is a payment made towards meeting the costs incurred by the relevant person in travelling to and from the court.

(3) The accommodation allowance is a payment made towards meeting the costs incurred by the relevant person for accommodation and meals when the relevant person is necessarily absent from the person's place of residence to attend court.

(4) The attendance allowance is a payment made towards meeting any loss of earnings or additional expenses incurred by a relevant person if, to attend court—

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(a) for a relevant person other than an interpreter—

(i) the person is necessarily absent from the person's place of employment, practice or residence for a period; or

(ii) if subparagraph (i) does not apply—the person is necessarily unavailable to undertake the person's usual work for a period; or

(b) for a relevant person who is an interpreter—the person is necessarily absent from the person's place of employment, practice or residence for a period.

21A References to court for working out travelling allowance or accommodation allowance for particular relevant persons

(1) This section applies if—

(a) a relevant person is directed, by a notice given under the *Uniform Civil Procedure Rules 1999*, rule 415B, that the person's attendance to give evidence in accordance with a subpoena is to be made by audio link or audio visual link from a place other than the person's place of employment, practice or residence; or

(b) a relevant person's attendance to give evidence is otherwise to be made by audio link or audio visual link from a place other than the person's place of employment, practice or residence.

(2) For working out the relevant person's entitlement to a travelling allowance or accommodation allowance under this division, this division applies in relation to the person as if a reference to the court were a reference to the place from which the person's evidence is to be given.

22 Travelling allowance

(1) The amount of the travelling allowance that is to be paid to a relevant person is—

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(a) the amount actually and properly paid for fares for public transport; or

(b) if public transport was not available—the amount calculated at the rate per kilometre payable under the *Public Sector Act 2022* to a public service employee required to use the employee's private motor vehicle for official purposes, taken to the nearest whole cent.

(2) The relevant person is not entitled to the payment of a travelling allowance if no expense is incurred by the person in travelling to and from the court.

(3) If the relevant person travels to and from the court in a private vehicle with another relevant person, only 1 payment is to be made under subsection (1)(b) for the vehicle.

(4) If it is reasonable for the relevant person to travel to and from the court by air, the amount of the travelling allowance that is to be paid is—

(a) for a non-professional witness or an interpreter—the amount payable for economy class air travel by the person to and from the court; or

(b) for a professional witness or an expert—the amount payable for first class air travel by the person to and from the court.

(5) For calculating the travelling allowance, in deciding whether public transport was available, regard is to be had to whether a public transport system operated by which a person could conveniently—

(a) travel to the court in reasonable time before the person's required attendance; and

(b) return to the person's place of employment, practice or residence after the person's attendance at court.

23 Accommodation allowance

(1) The amount of the accommodation allowance that is to be paid to a relevant person is to be the amount calculated at the

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rate payable under the *Public Sector Act 2022* to a public service officer.

(2) For subsection (1)—

(a) the period of absence from the relevant person's place of residence is to be calculated from the time of departure from that place to the time of return to that place; and

(b) if, after the number of full days absence has been calculated, the period remaining is more than 12 hours, that period is to be treated as a day's absence.

(3) For calculating the accommodation allowance, regard is to be had to—

(a) the time of the latest public transport available by which the person could conveniently travel to the court in reasonable time before the person's required attendance; and

(b) the time by which the person could conveniently return to the person's place of employment, practice or residence using the earliest public transport available within a reasonable time after the person's attendance at court.

(4) Subsection (3) does not apply if special reasons exist for some other basis for the calculation.

24 Attendance allowance for non-professional witness

(1) The amount of the attendance allowance that is to be paid to a non-professional witness for each day or part of a day of the witness's necessary absence to attend court is—

(a) if the witness is under 16—$46.20; or

(b) if the witness is 16 or older—$92.55.

(2) In subsection (1), a reference to the non-professional witness's necessary absence to attend court is a reference to the period for which the attendance causes the non-professional witness to be—

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(a) necessarily absent from the witness's place of employment, practice or residence as mentioned in section 21(4)(a)(i); or

(b) necessarily unavailable to undertake the witness's usual work as mentioned in section 21(4)(a)(ii).

25 Attendance allowance for professional witness or expert

(1) The amount of the attendance allowance that is to be paid to a professional witness or an expert for each day of the witness's or expert's necessary absence to attend court is $284.10.

(2) If the necessary absence of a professional witness or an expert to attend court is 7 hours or less, the amount of the attendance allowance that is to be paid is—

(a) for an absence of 3 hours or less—$106.70; or

(b) for an absence of more than 3 hours but not more than 4 hours—$153.30; or

(c) for an absence of more than 4 hours but not more than 5 hours—$186.30; or

(d) for an absence of more than 5 hours but not more than 6 hours—$219.10; or

(e) for an absence of more than 6 hours—$251.10.

(3) Despite subsections (1) and (2), if the professional witness or expert is a doctor who is employed under the *Hospital and Health Boards Act 2011* as a health service employee at a public sector hospital, the attendance allowance that is to be paid for each day or part of a day of the witness's or expert's necessary absence to attend court is $95.20.

(4) Travelling time is to be taken into account for deciding the amount of the allowance under this section, but only if the necessary absence is an absence mentioned in subsection (5)(a).

(5) In this section, a reference to a professional witness's or expert's necessary absence to attend court is a reference to the

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period for which the attendance causes the professional witness or expert to be—

(a) necessarily absent from their place of employment, practice or residence as mentioned in section 21(4)(a)(i); or

(b) necessarily unavailable to undertake their usual work as mentioned in section 21(4)(a)(ii).

26 Attendance allowance for interpreters

(1) The amount of the attendance allowance that is to be paid to an interpreter for each day of necessary absence from the interpreter's place of employment, practice or residence to attend court is $289.90.

(2) If the period for which an interpreter is necessarily absent from the interpreter's place of employment, practice or residence is less than 8 hours, the amount of the attendance allowance that is to be paid is—

(a) for the first 2 hours or part of 2 hours—$74.05; and

(b) for each additional hour or part of an hour—$33.65.

(3) Travelling time is to be taken into account for deciding the amount of the allowance under this section.

27 When additional amount may be paid

(1) If a registrar considers it is reasonable for an additional amount to be paid to a relevant person under section 24, 25 or 26 because of special circumstances, the registrar may approve the payment of an additional reasonable amount.

(2) Without limiting subsection (1), it is a special circumstance that a relevant person who is a doctor is a specialist health practitioner under the Health Practitioner Regulation National Law.

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28 Increase if GST payable

If an amount payable under section 25 or 26 is for a supply on which GST is payable, the amount payable under the section is to be increased to take account of the GST.

Division 3 Prisoners

29 Allowance

(1) This section applies to a prisoner who—

(a) attends court as a relevant person; and

(b) has been granted leave of absence under the *Corrective Services Act 2006* to engage in employment; and

(c) incurs loss of salary or wages while attending court.

(2) The prisoner is entitled to be paid an allowance for attendance at court.

(3) The amount of the allowance—

(a) must be decided by the chief executive; and

(b) must not be more than the amount of the allowance that a relevant person would be entitled to be paid under section 21 for the same attendance.

Part 4 Repeal and transitional provisions

Division 1 Repeal

30 Repeal

The Uniform Civil Procedure (Fees) Regulation 2009, SL No. 183 is repealed.

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Division 2 Transitional provisions

31 Definitions for division

In this division—

corresponding provision, for a repealed provision, means a provision of this regulation that is substantially the same as or equivalent to the repealed provision.

repealed provision means the repealed regulation, section 10, 10A or 10B.

repealed regulation means the repealed *Uniform Civil Procedure (Fees) Regulation 2009*.

32 Existing requests for refund of fees

(1) This section applies if—

(a) before the commencement, a party had given a registrar a request for refund of fees under the repealed regulation, section 4C; and

(b) immediately before the commencement, the request had not been finally dealt with.

(2) From the commencement, the request is taken to have been made under section 6 of this regulation.

33 Existing applications to pay reduced fee

(1) This section applies if—

(a) before the commencement, a party had made an application under a repealed provision; and

(b) immediately before the commencement, the application had not been decided.

(2) From the commencement, the application is taken to have been made under the corresponding provision for the repealed provision and must be decided under the corresponding provision.

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34 Existing reviews

(1) This section applies if—

(a) before the commencement, a party had made an application to the court under the repealed regulation, section 10C for a review; and

(b) immediately before the commencement, the court had not finished dealing with the review.

(2) From the commencement—

(a) the application is taken to have been made under section 11 of this regulation; and

(b) the court may deal or continue to deal with the review under that section.

35 Existing rights of review

(1) This section applies if—

(a) before the commencement, a party was entitled under the repealed regulation, section 10C to apply to the court to review a registrar's decision on an application made by the party under a repealed provision; and

(b) immediately before the commencement, the party had not made the application.

(2) From the commencement, section 11 of this regulation applies to the party as if the application made under the repealed provision had been made under the corresponding provision for the repealed provision.

36 References to repealed regulation

A reference in a document to the repealed regulation may, if the context permits, be taken to be a reference to this regulation.

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Schedule 1 Supreme Court and District Court fees

section 3(1)

		Supreme Court	District Court
		Fee units	Fee units
	Originating process		
1	(1) Filing a claim, including a counterclaim or writ in admiralty, under the Corporations Act or the *Admiralty Act 1988* (Cwlth)—		
	(a) if at least 1 plaintiff is a corporation	2,911.90	not applicable
	(b) otherwise	1,232.90	not applicable
	(2) Filing an application that is an originating process under the Corporations Act or the *Admiralty Act 1988* (Cwlth)—		
	(a) if at least 1 applicant is a corporation	2,911.90	not applicable
	(b) otherwise	1,232.90	not applicable
	(3) Filing a claim, including a counterclaim, other than a claim or counterclaim mentioned in subitem (1)—		
	(a) if at least 1 plaintiff is a corporation	2,052.90	1,838.85
	(b) otherwise	1,037.90	933.85
	(4) Filing an application, other than an application mentioned in subitem (2) or item 2, that is an originating process—		
	(a) if at least 1 applicant is a corporation	2,052.90	1,838.85
	(b) otherwise	1,037.90	933.85

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		Supreme Court	District Court
		Fee units	Fee units
(5)	Filing a document initiating an appeal, including a case stated, an application for leave to appeal or a cross appeal—		
	(a) if at least 1 party initiating the appeal is a corporation	3,032.00	2,726.00
	(b) otherwise	1,515.00	1,361.00

Administration of estates

2	Filing—		
	(a) an application for probate or letters of administration	748.10	not applicable
	(b) an application for resealing of a foreign grant of probate or letters of administration under the *British Probates Act 1898*	748.10	not applicable
	(c) an application for an order to administer under the *Public Trustee Act 1978*	748.10	not applicable

Any other documents

3	(1) Filing an application in the Supreme Court to be admitted to the legal profession under the *Legal Profession Act 2007*	74.20	not applicable
	(2) Filing or receiving any document not connected with a matter already on record and not otherwise provided for, including the filing or receiving of any document in the sheriff's office or marshal's office	120.70	104.10
	(3) If a fee is paid under subitem (2) in relation to a document, a further fee is not payable under the subitem for filing any subsequent document related to the first document.		

Authorised by the Parliamentary Counsel

		Supreme Court Fee units	District Court Fee units
	Issuing subpoena		
4	Issuing a subpoena under the *Uniform Civil Procedure Rules 1999*, rule 414 at the request of a party	98.70	98.70
	Setting down		
5	(1) Setting down for hearing or trial a proceeding under the Corporations Act or the *Admiralty Act 1988* (Cwlth)—		
	(a) if at least 1 plaintiff or appellant is a corporation	4,809.00	not applicable
	(b) otherwise	2,407.00	not applicable
	(2) Setting down for hearing or trial any other proceeding—		
	(a) if at least 1 plaintiff or appellant is a corporation	3,370.00	3,032.00
	(b) otherwise	1,685.00	1,515.00
	Hearing		
6	(1) For the hearing or trial of a proceeding under the Corporations Act or the *Admiralty Act 1988* (Cwlth)—		
	(a) for each day or part of a day after the first day and up to the fourth day—		
	(i) if at least 1 plaintiff or appellant is a corporation	1,927.00	not applicable
	(ii) otherwise	956.70	not applicable

Authorised by the Parliamentary Counsel

	Supreme Court	District Court
	Fee units	Fee units
(b) for each day or part of a day after the fourth day and up to the ninth day—		
(i) if at least 1 plaintiff or appellant is a corporation	3,462.00	not applicable
(ii) otherwise	1,595.00	not applicable
(c) for each day or part of a day after the ninth day—		
(i) if at least 1 plaintiff or appellant is a corporation	6,830.00	not applicable
(ii) otherwise	3,207.00	not applicable
(2) For the hearing or trial of any other proceeding—		
(a) for each day or part of a day after the first day and up to the fourth day—		
(i) if at least 1 plaintiff or appellant is a corporation	1,347.00	1,210.00
(ii) otherwise	676.50	605.20
(b) for each day or part of a day after the fourth day and up to the ninth day—		
(i) if at least 1 plaintiff or appellant is a corporation	2,428.00	2,180.00
(ii) otherwise	1,211.00	1,093.00
(c) for each day or part of a day after the ninth day—		
(i) if at least 1 plaintiff or appellant is a corporation	4,718.00	4,244.00
(ii) otherwise	2,355.00	2,118.00

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		Supreme Court	District Court
		Fee units	Fee units
	Reduced fee payable under part 2, division 1, subdivision 3		
7	Reduced fee—		
	(a) for a corporation in relation to a fee payable under item 1(3), (4) or (5), 5(2) or 6(2)—the fee that would be payable under the item if the corporation were a party other than a corporation		
	(b) otherwise	136.50	136.50
	Opening offices		
8	Opening, or keeping open, the registry, sheriff's office or marshal's office between 4.30p.m. and 8.30a.m. or on a Saturday, Sunday or court holiday	559.60	559.60
	Copies		
9	Copy of a record of the court or a document or exhibit filed in the registry, sheriff's office or marshal's office, including reasons for judgment—		
	(a) first copy—each page	2.95	2.95
	(b) maximum fee for first copy	76.75	76.75
	(c) additional copy—each page	0.65	0.65
	(d) maximum fee for additional copy	30.60	30.60
10	(1) Additional fee for certifying a copy mentioned in item 9	72.95	72.95

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		Supreme Court	District Court
		Fee units	Fee units
(2)	This fee does not apply to certifying the original certificate of admission of a person to the legal profession under the *Legal Profession Act 2007*.		
	Attendance of officer pursuant to order, direction of the court or warrant		
11 (1)	For an officer to—		
(a)	attend with a record or document at a court or place out of the court building; or		
(b)	attend to examine a witness or an enforcement debtor away from the court building; or		
(c)	attend a view away from the court building; or		
(d)	*attend to the discharge of cargo; or		
(e)	*attend to the sale or removal of a ship or goods; or		
(f)	*attend to the delivery up of a ship or goods—		
(i)	for each hour or part of an hour	119.50	119.50
(ii)	maximum fee for a day	598.50	598.50
(2)	*For an officer to attend the release of a ship, goods, or person from arrest	52.00	not applicable

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		Supreme Court	District Court
		Fee units	Fee units
	(3) In addition to the fee payable under subitem (1) or (2), the reasonable cost, allowed by a registrar or the marshal of the Supreme Court, of travelling and other expenses reasonably incurred by the officer is also payable.		
	Public searches		
12	(1) Searching the records—for each name or file	26.60	26.60
	(2) Retrieval from Queensland State Archives—for each file	26.60	26.60
	Accounts and assessment of costs		
13	Taking an account before a registrar—for each hour or part of an hour	119.50	119.50
14	(1) Assessment by an assessing registrar of a costs statement, or part of a costs statement, under the *Uniform Civil Procedure Rules 1999*, rule 708—for each hour or part of an hour	119.50	119.50
	(2) Assessment by an assessing registrar of a costs statement other than under the *Uniform Civil Procedure Rules 1999*, rule 708—for each $100 or part of $100 allowed	14.95	14.95
	Miscellaneous		
15	(1) *Drawing an advertisement	162.20	162.20
	(2) Settling and executing a deed of transfer	162.20	162.20

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		Supreme Court	District Court
		Fee units	Fee units
	(3) Appointing a valuer for a ship or an auctioneer or agent to sell a ship, in addition to any fee payable to the valuer, auctioneer or agent	155.90	not applicable
16	Certificate of registrar	72.95	72.95
17	Preparing and photocopying of documents for inclusion in appeal books—		
	(a) first copy—each page	2.95	not applicable
	(b) additional copy—each page	0.65	not applicable
	(c) binding of appeal books—each book	11.35	not applicable

Expenses of registrar, enforcement officer or marshal in relation to performing functions

18 *An amount for the reasonable cost, as decided and reasonably incurred by a registrar, enforcement officer or marshal, of expenses for—

(a) each person left in possession of property; or

(b) the securing and safe custody of property under seizure; or

(c) any of the following—

(i) board and lodging;

(ii) travelling expenses;

(iii) clerical assistance at sales;

(iv) advertising;

(v) feeding livestock or removing it to a place of safekeeping;

(vi) hire of transport, warehouses or yards;

(vii) out-of-pocket expenses.

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		Supreme Court Fee units	District Court Fee units
Poundage			
19 (1)	Poundage if an enforcement officer enforces an enforcement warrant or other process under or because of which an amount is received by a registrar, sheriff or the enforcement creditor—the greater of the following amounts—		
	(a) 2.5% of the amount received		
	(b) minimum amount	162.20	162.20
(2)	Poundage on enforcing an enforcement warrant for possession under the *Uniform Civil Procedure Rules 1999*, rule 915—the greater of the following amounts—		
	(a) 2.5% of annual rent or, if the property is not tenanted, the market value of annual rent		
	(b) minimum amount	162.20	162.20
(3)	No fee is payable on the sale of a ship or goods sold by a marshal under a judgment or order of the court.		
Fees payable to enforcement officer, marshal or marshal's officer for service and enforcement			
20 (1)	Service or attempted service, or enforcement or attempted enforcement, of a warrant, process or document—		
	(a) on each person or ship served or enforced	112.00	112.00

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		Supreme Court Fee units	District Court Fee units
	(b) for each additional warrant, process or document served or enforced if—		
	(i) 2 or more warrants, processes or documents lodged at the same time against the same person or ship are served or enforced at the same time; or		
	(ii) 2 or more persons or ships are served with the same warrant, process or document, the same proceedings are enforced against them, or proceedings are enforced at the same time and at the same address	20.15	20.15
	(2) In addition to the fee payable under subitem (1), the reasonable cost, allowed by a registrar or the marshal of the Supreme Court, of travelling and other expenses reasonably incurred by the officer is also payable.		
21	(1) Travelling fee for service or attempted service, or enforcement or attempted enforcement, of a warrant, process or document—for each kilometre or part of a kilometre necessarily travelled from the registry to the place of service or enforcement, 1 way in excess of 8km from the registry	3.95	3.95
	(2) Only 1 travelling fee may be charged if—		
	(a) 2 or more warrants, processes or documents lodged at the same time against the same person or ship are served or enforced at the same time; or		

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		Supreme Court	District Court
		Fee units	Fee units
	(b) 2 or more persons or ships are served with the same warrant, process or document, the same proceedings are enforced against them, or proceedings are enforced at the same time and at the same address.		
22 (1)	Taking a person to prison or a place of detention from the place of arrest—for each kilometre	3.95	3.95
(2)	In addition to the fee payable under subitem (1), the reasonable cost, allowed by a registrar, of other expenses reasonably incurred in taking a person to prison or a place of detention is also payable.		
23 (1)	For time necessarily spent after the first hour, for each hour or part of an hour, on—		
	(a) service or attempted service, or enforcement or attempted enforcement, of a warrant, process or document; or		
	(b) arranging or conducting an auction	35.10	35.10
(2)	If the enforcement officer performing a duty mentioned in subitem (1) is a full-time or part-time officer of the public service and performs the duty during the officer's normal working hours, the fee is to be paid to the court.		
24 (1)	Retaining possession by a marshal or marshal's officer of a ship, with or without cargo, or of a ship's cargo without a ship—for each day	18.90	not applicable

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	Supreme Court	District Court
	Fee units	Fee units
(2) In addition to the fee payable under subitem (1), the reasonable costs, allowed by a registrar or the marshal of the Supreme Court, incurred by a ship keeper to retain possession of the ship are also payable.		
(3) No fee is payable for the custody and possession of property under arrest—		
(a) if it consists of an amount in a bank or goods stored in a bonded warehouse; or		
(b) if it is in the custody of an authorised officer within the meaning of the *Customs Act 1901* (Cwlth).		

* indicates fee may be payable to the enforcement officer, marshal or marshal's officer

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Schedule 2 Magistrates Courts fees

section 14(1)

Part 1 Court fees

		Fee units
	Filing claim or other document	
1	Filing a claim—	
	(a) if the amount claimed is $2,500 or less	186.35
	(b) if the amount claimed is more than $2,500 but less than $10,000	257.85
	(c) if the amount claimed is $10,000 or more but less than $50,000	276.75
	(d) if the amount claimed is $50,000 or more but less than $100,000—	
	(i) if the plaintiff, or each plaintiff, is an individual	354.85
	(ii) otherwise	557.25
	(e) if the amount claimed is $100,000 or more—	
	(i) if the plaintiff, or each plaintiff, is an individual	420.25
	(ii) otherwise	695.45
2	Registering a judgment or order issued out of a court other than a State court or tribunal (including enforcement action taken on the judgment)—	
	(a) if the amount claimed is less than $10,000	114.40
	(b) if the amount claimed is $10,000 or more	123.20
3	Filing an employment claim mentioned in the *Magistrates Courts Act 1921*, section 42B	61.70
4	Filing a document, other than a claim, to start a proceeding	114.40

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		Fee units
	Copies and inspection	
5	Inspecting records in a proceeding—	
	(a) within 4 years after filing of claim—by a person other than a party to the proceeding	16.20
	(b) more than 4 years after filing of claim—by any person, including a party to the proceeding	27.95
6	Copy of records in a proceeding not subject to the *Recording of Evidence Act 1962*—	
	(a) first copy—each page	2.95
	(b) maximum fee for first copy	76.75
	(c) additional copy—each page	0.65
	(d) maximum fee for additional copy	30.60
	(e) additional fee for certifying copy	29.90
	Poundage	
7	(1) Poundage if an enforcement officer enforces an enforcement warrant or other process under or because of which money is received by the bailiff or the enforcement creditor—the greater amount of—	
	(a) 5% on the first $200 and 2.5% on the balance; or	
	(b) the minimum amount	72.95
	(2) The first $200 of the fee under subitem (1) is to be paid to the bailiff.	
	Opening registry	
8	Opening, or keeping open, the registry between 8a.m. and 8.30a.m. or between 4.30p.m. and 6p.m. on a day other than a Saturday, Sunday or court holiday	188.60

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		Fee units
	Assessment of costs	
9	Making an appointment for directions or for assessment of a costs statement by an assessing registrar	53.90
10	Assessment by an assessing registrar of a costs statement, or part of a costs statement, under the *Uniform Civil Procedure Rules 1999*, rule 708—for each hour or part of an hour	119.50
11	Assessment by an assessing registrar of a costs statement other than under the *Uniform Civil Procedure Rules 1999*, rule 708—for each $100 or part of $100 allowed	14.95
12	For an order for the amount assessed	74.20

Part 2 Bailiff's fees

		Fee units
	Service, enforcement and apprehension	
1	Service or attempted service of a claim, application, subpoena, process or other document within 12km of the registry—on each person served	53.40
2	Enforcement, or attempted enforcement, of a warrant within 12km of the registry—for each bailiff	77.90
3	(1) Travelling fee for service or attempted service of a claim, application, subpoena, process or other document or enforcement, or attempted enforcement, of a warrant—for each kilometre or part of a kilometre necessarily travelled from the registry to the place of service or enforcement, 1 way in excess of 12km from the registry	3.95
	(2) Only 1 travelling fee may be charged if—	

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			Fee units
		(a) 2 or more claims, applications, subpoenas, processes, other documents or warrants lodged at the same time against the same person are served or enforced at the same time; or	
		(b) 2 or more persons are served with the same claim, application, process or other document at the same time and at the same address.	
4	(1)	For time necessarily spent after the first hour on enforcement or attempted enforcement of a warrant, or apprehension or attempted apprehension—for each hour or part of an hour	25.30
	(2)	A payment under subitem (1) is at the discretion of a registrar.	
	(3)	If the bailiff performing the enforcement or apprehension mentioned in subitem (1) is a full-time or part-time officer of the public service and performs the enforcement or apprehension during the officer's normal working hours, the fee is to be paid to the court.	
5		Taking a person to prison or a place of detention from the place of arrest—for each kilometre	3.95
		Additional fee for payment into court	
6		Additional fee to the fee for poundage payable under part 1, item 7 if a bailiff collects and pays into court at least 50% but less than 85% of a money order debt due under a warrant	25.30
7		Additional fee to the fee for poundage payable under part 1, item 7 if a bailiff collects and pays into court at least 85% of a money order debt due under a warrant	50.65
		Custody and possession of property	

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			Fee units
8	(1)	Each bailiff left in actual possession of property—for each day	112.00
	(2)	A registrar may also allow the reasonable cost of—	
		(a) if meals and accommodation are not provided for a bailiff—meal and accommodation expenses incurred for a bailiff;	
		(b) if property is kept in the actual possession of a bailiff—necessary payments made for the safe custody of property under seizure.	

Miscellaneous enforcement expenses

9 A registrar may allow the reasonable cost of any of the following expenses relating to enforcement by the bailiff—

(a) expenses incurred for any of the following—

(i) travelling for each person;

(ii) clerical assistance at sales, if necessary;

(iii) advertising;

(iv) feeding livestock or removing it to a place of safekeeping;

(b) other necessary expenses relating to the bailiff enforcing a warrant including, for example, hiring transport, warehouses and yards;

(c) other necessary out-of-pocket expenses including, for example, postage and telephone calls.

10	(1)	Drawing an advertisement of sale, if the sale is under an enforcement warrant for the seizure and sale of property	100.10
	(2)	If the advertisement mentioned in subitem (1) is not drawn by the bailiff, the fee is to be paid to the court.	

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Schedule 3 Planning and Environment Court fees

section 15

		Fee units
1	Filing a notice of appeal—	
	(a) if the party, or each party, starting the appeal is an individual	669.30
	(b) otherwise	1,325.00
2	Filing an originating application under the *Planning and Environment Court Rules 2018*, rule 6—	
	(a) if the applicant, or each applicant, is an individual	669.30
	(b) otherwise	1,325.00
3	Filing a document (the ***first document***), other than any subsequent document relating to the first document, for which no other fee is provided	101.60
4	Issuing a certificate on a final judgment, order, finding or decision	70.65
5	Issuing a copy of a record of the court, a document or exhibit filed in the registry or reasons for judgment—	
	(a) first copy—each page	2.75
	(b) maximum fee for first copy	75.05
	(c) additional copy—each page	0.65
	(d) maximum fee for additional copy	29.70
6	Opening, or keeping open, the registry between 4.30p.m. and 8.30a.m. or on a Saturday, Sunday or court holiday	550.90
7	Searching the record in an appeal or other proceeding—for each name or file	26.30
8	Attending a view—	

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		Fee units
	(a) for each hour or part of an hour	117.10
	(b) maximum fee for a day	585.90
9	Making an appointment for assessment of a costs statement by an assessing registrar	117.10
10	Assessment by an assessing registrar of a costs statement—for each $100 or part of $100 allowed	14.10

Schedule 4 Dictionary

section 3

assessing registrar see the *Uniform Civil Procedure Rules 1999*, rule 679.

auctioneer see the *Property Occupations Act 2014*, section 14.

audio link, for part 3, see section 19.

audio visual link, for part 3, see section 19.

costs statement see the *Uniform Civil Procedure Rules 1999*, rule 679.

court means—

(a) in relation to a proceeding in the Supreme Court—the Supreme Court; or

(b) in relation to a proceeding in the District Court—the District Court; or

(c) in relation to a proceeding in a Magistrates Court—the Magistrates Court; or

(d) in relation to a proceeding in the Planning and Environment Court—the Planning and Environment Court.

enforcement creditor see the *Uniform Civil Procedure Rules 1999*, rule 793.

enforcement debtor see the *Uniform Civil Procedure Rules 1999*, rule 793.

expert, for part 3, see section 19.

hearing fee means a fee payable under section 4 and schedule 1, item 6.

marshal means the marshal, deputy marshal or assistant marshal of the Supreme Court mentioned in the *Uniform Civil Procedure Rules 1999*, rule 983(2).

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marshal's officer means a person employed as the marshal's officer under the *Uniform Civil Procedure Rules 1999*, rule 983(3).

non-professional witness, for part 3, see section 19.

prisoner, for part 3, see section 19.

professional witness, for part 3, see section 19.

public transport, for part 3, see section 19.

reduced fee means the fee mentioned in schedule 1, item 7.

registrar means—

(a) in relation to a proceeding in the Supreme Court—a registrar of the court; or

(b) in relation to a proceeding in the District Court—a registrar under the *District Court of Queensland Act 1967*; or

(c) in relation to a proceeding in a Magistrates Court—a registrar of the Magistrates Court under the *Magistrates Courts Act 1921*, section 3 or the principal registrar of Magistrates Courts; or

(d) in relation to a proceeding in the Planning and Environment Court—a registrar of the court under the *Planning and Environment Court Act 2016*, section 66(2) or the ADR registrar or P&E Court's principal registrar under that Act.

relevant fee see section 7(1).

relevant person, for part 3, see section 19.

setting down fee means a fee payable under section 4 and schedule 1, item 5.

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