

County Court (Fees) Regulations

Exposure Draft

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Victoria

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1 Objective

The objective of these Regulations is to prescribe the fees payable in respect of proceedings in the County Court of Victoria.

2 Authorising provision

These Regulations are made under section 79A of the **County Court Act 1958**.

3 Commencement

These Regulations come into operation on 16 December 2012.

4 Revocation

The following Regulations are **revoked**—

- (a) County Court (Court Fees) Order 2001¹;
- (b) County Court (Court Fees) (Amendment) Order 2003².

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5 Definitions

In these Regulations, *Chapter I* means the County Court Civil Procedure Rules 2008³.

6 Fees

The fees payable under section 28(1) of the **County Court Act 1958** are the fees set out in the Schedule.

7 Expiry

These Regulations expire on 15 December 2017.

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SCHEDULE

FEEs

COMMENCEMENT OF PROCEEDINGS

1	For filing originating process	59·9 fee units
2	For issuing an adoption summons	30·3 fee units
3	On transfer of a proceeding from the Magistrates' Court	59·9 fee units less any fee paid to the Magistrates' Court on commencement of the proceeding

FILING OTHER PROCESS

4	For filing a counterclaim, defence and counterclaim, or third party notice under Order 11 of Chapter I	59·9 fee units
5	For filing an interlocutory application	21·8 fee units
6	For filing an application for the examination of a judgment debtor under Chapter I	11·7 fee units
7	For filing material for an ex-parte order	10·3 fee units
8	For filing a subpoena	10·4 fee units
9	For every application by a judgment creditor under section 6 or 8 of the Judgment Debt Recovery Act 1984 or for the filing by a judgment creditor of an instalment agreement under section 7 of that Act	1·4 fee units
10	Filing a summons for an attachment of debt (Order 71 of Chapter I)	23·2 fee units

SETTING DOWN FEES

11	On setting down for trial	70·8 fee units
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HEARING FEES		
12	For hearing at trial by Judge or Judge with jury—	
12.1	For days 2 to 4, per day or part of a day	36·8 fee units
12.2	For days 5 to 9, per day or part of a day	61·5 fee units
12.3	For day 10 and subsequent days, per day or part of a day	102·6 fee units
13	For each sitting of the Registrar taking accounts or evidence, making enquiries or acting as a special examiner	20·9 fee units
14	For each sitting of an officer of the Court at mediation (per hour or part of an hour)	5 fee units
15	For each sitting of an officer of the Court at a pre-trial conference	7·4 fee units
ENTERING JUDGMENTS OR ORDERS		
16	For filing judgment in default of appearance or pleading or judgment obtained under Order 21, 22, 23 or 24 of Chapter I	24·6 fee units
REGISTRY ACTIVITIES		
17	For every certificate of the Registrar	1 fee unit
18	For photocopying or printing any document	60c per page
19	For searching a database, inspecting a register, retrieving a document, obtaining a copy of material submitted to the court in electronic format or accessing any material filed, lodged or produced to or held by the Court, for each request	1·7 fee units
20	If the search, inspection, retrieval or accessing referred to in item 19 involves the retrieval of files held offsite—additional fee per file	1 fee unit
ENFORCEMENT PROCESS		
21	For registration of an interstate judgment	4·8 fee units

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ENDNOTES

¹ Reg. 4(a): S.R. No. 157/2001. Reprint No. 1 as at 18 September 2007.
Reprinted to S.R. No. 88/2004. Subsequently extended in operation by
S.R. No. 143/2011.

² Reg. 4(b): S.R. No. 53/2003.

³ Reg. 5 definition of *Chapter I*: S.R. No. 148/2008 as amended by
S.R. Nos 182/2009, 184/2009, 185/2009, 145/2010, 146/2010, 81/2011,
82/2011, 107/2011, 156/2011, 85/2012 and 104/2012.

Fee Units

These Regulations provide for fees by reference to fee units within the meaning of the **Monetary Units Act 2004**.

The amount of the fee is to be calculated, in accordance with section 7 of that Act, by multiplying the number of fee units applicable by the value of a fee unit.

The value of a fee unit for the financial year commencing 1 July 2012 is \$12.53. The amount of the calculated fee may be rounded to the nearest 10 cents.

The value of a fee unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a fee unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.