

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE  
ATTORNEY-GENERAL'S DEPARTMENT

**Output 1.1**

**Question No. 18**

**Senator Kirk asked the following question at the hearing on 24 May 2006:**

Please provide the Committee the schedule of fees for the Federal Magistrates Court.

**The answer to the honourable senator's question is as follows:**

**Federal Magistrates Court**

<b>Prescribing regulation</b>	<b>Document or service</b>	<b>Old fee – 1 July 2004</b>	<b>New fee - 1 July 2006</b>
<b>Regulation 4, Schedule 1</b>			
Item 1(a)	Filing a document by which proceedings (other than a proceeding mentioned in items 2, 2A or 3) seeking final orders is commenced (corporation).	\$576	\$607
Item 1(b)	Filing a document by which proceedings (other than a proceeding mentioned in items 2, 2A or 3) seeking final orders is commenced (not a corporation).	\$288	\$304
Item 2	Filing an application under section 46PO or 46PP of the <i>Human Rights and Equal Opportunity Commission Act 1986</i>	\$50	\$50
Item 2A	Filing a document to commence a proceeding regarding a decree of dissolution of marriage.	\$334 <sup>1</sup>	\$352
Item 3	Document commencing proceedings under the <i>Family Law Act 1975</i> about a financial matter or a matter under Part VII seeking final orders.	\$115	\$121

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<sup>1</sup> This item was inserted by the *Federal Magistrates Amendment Regulations 2005 (No. 1)* and commenced on 1 July 2005. Prior to 1 July 2005, the fee in item 1(b) applied.

Item 4(a)	Filing a document seeking interlocutory, interim or procedural orders (other than a proceeding under the <i>Family Law Act 1975</i> or a proceeding mentioned in item 2) (corporation).	\$345	\$364
Item 4(b)	Filing a document seeking interlocutory, interim or procedural orders (other than a proceeding under the <i>Family Law Act 1975</i> or a proceeding mentioned in item 2) (not a corporation).	\$173	\$182
Item 4A(a)	Filing an application to review a decision of the Registrar under subsection 104(2) of the Act (corporation).	\$345 <sup>2</sup>	\$364
Item 4A(b)	Filing an application to review a decision of the Registrar under subsection 104(2) of the Act (not a corporation).	\$173 <sup>3</sup>	\$182
Item 5(a)	Setting down fee: for final orders of a proceeding or an issue in question in a proceeding (other than an undefended proceeding under the <i>Family Law Act 1975</i> , a proceeding under the <i>Bankruptcy Act 1966</i> or a proceeding mentioned in item 2) (corporation).	\$691	\$728
Item 5(b)	Setting down fee: for final orders of a proceeding or an issue in question in a proceeding (other than an undefended proceeding under the <i>Family Law Act 1975</i> , a proceeding under the <i>Bankruptcy Act 1966</i> or a proceeding mentioned in item 2) (not a corporation).	\$345	\$364

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<sup>2</sup> This item was inserted by the *Federal Magistrates Amendment Regulations 2004 (No. 2)* and commenced on 25 November 2004.

<sup>3</sup> This item was inserted by the *Federal Magistrates Amendment Regulations 2004 (No. 2)* and commenced on 25 November 2004.

Item 6(a)	Document seeking final orders different from those sought by the applicant (filed by other than the applicant and otherwise than in a proceeding under the <i>Family Law Act 1975</i> or a proceeding mentioned in item 2) (corporation).	\$576	\$607
Item 6(b)	Document seeking final orders different from those sought by the applicant (filed by other than the applicant and otherwise than in a proceeding under the <i>Family Law Act 1975</i> or a proceeding mentioned in item 2) (not a corporation).	\$288	\$304
Item 7(a)	Filing, by a person other than the applicant, a document seeking final orders different from those sought by the applicant in a proceeding under the <i>Family Law Act 1975</i> about a financial matter or under Part VII (corporation)	\$230	\$242
Item 7(b)	Filing, by a person other than the applicant, a document seeking final orders different from those sought by the applicant in a proceeding under the <i>Family Law Act 1975</i> about a financial matter or under Part VII (corporation)	\$115	\$121
Item 8	Mediation by a court officer of the Federal Magistrates Court (otherwise than in a proceeding under the <i>Family Law Act 1975</i> or a proceeding mentioned in item 2): for the first attendance at the mediation	\$230	\$242
Item 10	Seizure and sale of goods by an officer of the Federal Magistrates Court in the execution of the process of the Court (in a proceeding other than a proceeding under the <i>Admiralty Act 1988</i> or the <i>Family Law Act 1975</i> or a proceeding mentioned in item 2)	\$263 <sup>4</sup>	\$277

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<sup>4</sup> The amount of \$2 for each \$100 value of goods was replaced by the amount of \$263 by the *Federal Magistrates Amendment Regulations 2004 (No. 2)*, that commenced on 25 November 2004.

Item 11(a)	Filing an application for an order for substituted service of a bankruptcy notice (a corporation)	\$150 <sup>5</sup>	\$158
Item 11(b)	Filing an application for an order for substituted service of a bankruptcy notice (not a corporation)	\$75 <sup>6</sup>	\$79

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<sup>5</sup> This item was inserted by the *Federal Magistrates Amendment Regulations 2004 (No. 1)* and commenced on 1 November 2004

<sup>6</sup> This item was inserted by the *Federal Magistrates Amendment Regulations 2004 (No. 1)* and commenced on 1 November 2004.