

Federal judges and magistrates who will retire in the next three years (ie before 31 May 2009)

Federal judges and magistrates are appointed until they attain age 70. They may resign before they reach this age.

The table below shows federal judges who will turn 70 before 31 May 2009. None of the current federal magistrates will attain that age before that date.

Court	Judge/Magistrate	Appointment expires (age 70)	State/Territory
High Court	The Hon Chief Justice Murray Gleeson	29 August 2008	NSW
	The Hon Justice Michael Kirby	17 March 2009	NSW
	The Hon Justice Ian Callinan	31 August 2007	Qld
Federal Court	The Hon Justice Murray Wilcox	16 February 2007	NSW
	The Hon Justice Peter Heerey	15 February 2009	Vic
	The Hon Justice Brian Tamberlin	29 March 2009	NSW
	The Hon Justice Robert Nicholson	6 August 2007	WA
	The Hon Justice Roger Gyles	21 August 2008	NSW
	The Hon Justice Richard Conti	18 August 2007	NSW
Family Court	The Hon Justice Paul Guest	7 March 2009	Vic

Currently, no judge or federal magistrate has written to the Governor-General tendering their resignation.

PARLIAMENT OF INDIA

RAJYA SABHA

DEPARTMENT RELATED PARLIAMENTARY STANDING COMMITTEE ON COMMERCE

SIXTY-SEVENTH REPORT ON

ACTION TAKEN BY GOVERNMENT ON THE RECOMMENDATIONS/OBSERVATIONS OF THE COMMITTEE CONTAINED IN ITS SIXTY SECOND REPORT ON FUNCTIONING OF STATE TRADING CORPORATION

(PRESENTED TO THE RAJYA SABHA ON THE 14TH MARCH, 2005)

(LAID ON THE TABLE OF THE LOK SABHA ON THE 14TH MARCH, 2005)

RAJYA SABHA SECRETARIAT
NEW DELHI
MARCH, 2005/ PHALGUNA, 1926 (SAKA)

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purchases made subsequently.

Purchase from Australia and Argentina in Jan – Feb, 97 were effected to make up for the shortfall due to delay in arrivals from Canada, where severe cold weather had created force majeure conditions, resulting in suspension of shipments. Besides, the decision to purchase wheat from Argentina on trial basis was taken by the Committee of Secretaries and Ministry of Food.

The purchases during January – February 1997 were also made following proper systems and procedures i.e. by floating of tender, negotiations with the eligible lowest tenderer, consultation with concerned ministry i.e. Ministry of Food and FCI, etc. and the terms were finalized with due approval of Committee of Management of STC. Thus, all attempts were made to ensure full transparency in all wheat purchases.

The floating of limited tenders was preferred, vis-à-vis global tender, as a strategy to enter the market in a low-key manner. Even if the international market was aware of India's likely production and demand, confidentiality in regard to timing of purchase and quantity to be purchased against each tender was very essential to prevent the market from flaring up and pushing the prices upward.

Thus, all the decisions in respect of wheat import were taken with the consent of Ministry of Food and FCI and contracts finalized after protracted negotiations with the lowest tenderer who could meet the quality and PPQ parameters. It is submitted that neither any purchase was made in discrete manner or with low publicity, nor any higher price was paid to the suppliers. The price differential between the purchases made in the first round and in subsequent rounds had arisen due to difference in the timings of purchase.

As regards any lapses on the part of employees of STC, the matter was under examination by CBI.

Further comments of the Department

An RC was registered by CBI in this case against senior officers of the Government of India and ex-CMD of STC. Department of Food & Public Distribution, which is a nodal Department for import of wheat, had informed that the Letter Rogatory (LR) issued in the case by the CBI was pending with office of Attorney General Department, Australia.

The Committee was further informed that the case was closed for lack of evidence, particularly on account of non-cooperation from concerned Australian authorities, to whom a Letter

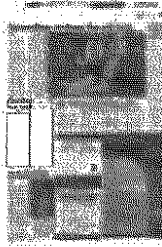
National Identity Security Strategy

Commonwealth Reference Group on Identity Security
Chair: Miles Jordana
Attorney-General's Department

National Identity Security Coordination Group
Chair: Miles Jordana
Attorney-General's Department

Working Groups

Standard Framework for Proof of Identity Chair: Liz Alders AUSTRAC	Security Standards for POI documents Chair: Bob Nash DFAT	Document Verification Service Chair: Dianne Herot Attorney-General's Dept	Integrity of Identity Data Chair: Dianne Herot Attorney-General's Dept	Authentication Standards Chair: Robyn Fleming Australian Government Information Management Office (Dept Finance & Administration)
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Cyber-crime confuses many frontline cops

Simon Hayes
Computer crime

JUST one in five respondents to a national computer crime survey had hacking attacks against them prosecuted, because of limited police resources and a lack of understanding of computer offences by frontline officers.

Senior Federal Police officers admitted the study showed more education was needed and that frontline police were sometimes confused by the intricacies of computer crime.

The study of 400 companies, funded by the Attorney-General's Department, found that computer crime dropped slightly in the past 12 months, with 42 per cent of respondents reporting an attack compared with 49 per cent last year. But those who reported attacks said police often did not investigate.

Of the respondents, 21 per cent said their allegations to police were not investigated at all and 49 per cent said lack of evidence prevented charges being laid. Only 19 per cent of respondents said charges had been laid.

The director of the Federal Police Australian hi-tech crime centre admitted that limited resources and a growing number of offences meant many allegations were not directly investigated.

Federal agent Kevin Zuccato said 19 per cent of offences prosecuted was a very positive figure, given the challenges.

"With this crime the offender is usually beyond our reach," he said.

Mr Zuccato said it was "not possible to investigate every single offence",

given the amount of hacking and low-level fraud.

"I don't think police officers would think it's not important, but they would give due consideration to their workload," he said.

"We'll prosecute as many of these individuals as we can find and prove offences against."

The popularity of the internet was changing the nature of crime, he said.

"We are moving away from fraud and large importations of narcotics to the gathering of large amounts of identity information that is then sold on the internet," Mr Zuccato said.

"That is a challenge for us."

The study finds that computer crime cost each respondent an average of \$241,150 annually, but it notes that figure may be skewed by a large loss reported by one respondent.

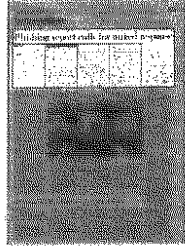
Police are claiming plenty of successes, many of which involve international co-operation.

In March, a Melbourne man was arrested and charged over attacks in 2005 on internet relay chat servers in Belgium.

Police allege the man used remotely controlled computer networks to attack the servers.

Attacks are so common, police face huge challenges.

In November, hackers attacked the website of ACT Chief Minister Jon Stanhope, and in December, attackers defaced the website of the federal agency, Land and Water Australia.



Phishing report calls for united response

Mark Jones

A report backed by online auction giant eBay has identified a key weakness in Australia's response to online identity theft and called on the Australian Communications and Media Authority to intervene.

The paper's authors have recommended the introduction of regulations to govern and co-ordinate responses to phishing, an escalating form of cybercrime in which individuals are tricked into handing over personal details and financial information to fake websites, typically as a result of an email invitation.

Australia has already set a precedent with cybercrime laws, including the Spam Act 2003, but

the country lacks a co-ordinated policy for responding to phishing that spans police and government departments including AusCert (Australian Computer Emergency Response Team), as well as online companies.

The report, sponsored by eBay and prepared by cybercrime experts Sascha Walkley and Peter Grabosky, a professor at the Australian National University, argues Australia needs a minimum set of standards to report phishing inci-

dents, respond, and share sensitive consumer data connected with phishing attacks.

"Given the internet's global nature and the patchwork of laws across the world, an approach that emphasises consumer education and engagement between the private and public sector will be necessary, but not sufficient, to control phishing," according to Ms Walkley and Mr Grabosky.

ACMA warned consumers in March to take basic precautions against phishing — such as visiting only official bank websites — as part of a four-week campaign by the Australasian Consumer Fraud Taskforce.

An ACMA spokesperson was not available to comment on how it planned to address the issue.

eBay's decision to more publicly address the problem comes as it responds to an increasing number of attacks aimed at extracting financial data from its members, including users of its PayPal financial payments service.

The company has employed more than 1000 people worldwide to address cybercrime, trust and security-related issues.

eBay Australia and New Zealand's trust and safety director, Alastair MacGibbon, would not

disclose how many attacks were targeted at the company's 181 mil-

lion global members or the 100 million people with PayPal accounts. However, he said the company continued to hire more people for its security team as the company grew.

Phishing, and the broader issue of consumer sentiment about online security, was critical to eBay's future.

"We as a company put a lot of stock in getting the [phishing] sites put down," Mr MacGibbon said.

He said eBay would work via its participation in organisations like the Internet Industry Association to achieve some of the recommendations outlined in the phishing report, adding that responsibility for co-ordinating phishing investigations was a natural extension of ACMA's regulation of internet service providers.

KEY POINTS

- An eBay-sponsored report advocates the introduction of regulations to address online identity theft.
- eBay has employed more than 1000 people worldwide to address security-related issues.

SUMMARY OF FAMILY RELATIONSHIP CENTRE FUNDING AGREEMENT NEGOTIATIONS

State	FRC Location	Interim Arrangements	Status of Funding Agreement
NSW	Lismore		Signed
	Wollongong	Plans to have reception area on ground floor refurbished. May propose use of existing premises in Wollongong if refurbishment is not fully completed by 3 July 2006.	
	Penrith Sutherland Shire (Caringbah)	Awaiting update from FaCSIA NSW	Signed
Victoria	Frankston		Signed
	Ringwood		
	Sunshine		
QLD	Mildura	Operating from existing premises from 3 July until purpose built facility is completed	
	Strathpine	Operating from existing premises from 3 July 2006	
	Townsville	Operating from existing premises from 3 July 2006	
SA	Salisbury		Signed
WA	Joondatup		
TAS	Hobart		Signed
NT	Darwin		
ACT	Canberra		Signed



- MEDIA RELEASE -
SENATOR THE HON. ERIC ABETZ
Minister for Fisheries, Forestry and Conservation

DAFF06/46A

24 May 2006

Getting tougher on illegal foreign fishers

The Government will amend Australia's fisheries laws to include gaol sentences for foreign fishers caught illegally in our territorial waters, Fisheries Minister Senator Eric Abetz announced today.

"This bill, if enacted, will allow for gaol terms of up to two or three years, depending on size of the vessel illegal fishers are using, as well as substantial fines of up to \$825,000, or both, for those caught illegally fishing in our territorial waters," the Minister said.

"These new penalties will be among the toughest in the world, and are an important part of the Government's new 'get-tough' measures in its fight against illegal foreign fishing."

Senator Abetz said that, at the moment, foreign operators caught fishing illegally in our waters are gaoled for only token periods, and then only if they fail to pay a fine.

He particularly pointed to a recent case where an illegal foreign fisherman was fined just \$5 in a South Australian court, despite being caught in Australian territorial waters with \$10,000 worth of stolen fish on board.

"That's just frankly not good enough," he said.

"We need to send a clear message that we are absolutely serious about protecting our fish stocks and our border from illegal foreign fishers."

The new custodial penalties will apply in territorial waters controlled by the Australian Government — from three to 12 nautical miles from the coastline.

"That includes the mainland, Tasmania and adjacent islands, as well as external territories, such as those in the sub-Antarctic," Senator Abetz said.

"Applying the new measures to waters controlled by the States — from the coastline to the three nautical mile point — is also a consideration, and the Government is already discussing that with the States most affected."

Waters in Australia's exclusive economic zone — that is, from 12 to 200 nautical miles — cannot be included in the new custodial penalties under international law. However, the non-custodial penalties applying there under existing Commonwealth law will continue.

The Minister said that he expected the bill, which will be introduced into Parliament tomorrow, to be rapidly passed into law.

"I would expect cross-party support for this bill that will help deter illegal fishing boat incursions that, as well as harming our fisheries, could bring exotic pests and diseases to this country."

Ends

Media inquiries: Brad Stansfield 0419 884 666

2. IMMIGRATION MATTERS

- (a) Immigration matters filed 1997/98 – 2005/06**
- (b) Current immigration matters as at 15.04.06**

(a) HIGH COURT OF AUSTRALIA IMMIGRATION MATTERS FILED BY CASE TYPE

	Special Leave Applications	Appeals	Removals & Causes Removed	Writs of Summons	Constitutional Writs	Leave to Issue	Total
1997/98							
Immigration	7	1	0	2	24	0	34
Total	358	51	14	81	39	5	548
1998/99							
Immigration	30	1	0	6	52	0	89
Total	407	64	25	20	82	17	615
1999/00							
Immigration	36	6	0	1	64	0	107
Total	519	65	26	47	90	7	754
2000/01							
Immigration	37	5	0	0	63	0	105
Total	495	67	18	14	81	13	688
2001/02							
Immigration	83	4	1	2	287	0	377
Total	497	78	19	13	300	15	922
2002/03							
Immigration	186	5	1	87	2105	0	2384
Total	605	64	12	94	2131	17	2922
2003/04							
Immigration	307	10	4	3	206	1	531
Total	729	72	8	8	221	7	1045
2004/2005							
Immigration	457	7	0	9	56	1	530
Total	876	83	5	18	64	8	1054

(b) Current Immigration Matters as at 15 May 2006

Registry	Constitutional Writs	Writ of Summons	Special Leave Applications	Appeals
Adelaide	-	-	6	2
Brisbane	-	-	2	1
Canberra	-	-	-	-
Darwin	-	-	-	-
Hobart	-	-	-	-
Melbourne	16	-	32	1
Perth	-	-	3	1
Sydney	-	1	109	1
Total	16	1	152	6

SENATE ESTIMATES COMMITTEE HEARING
25 MAY 2006

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	one third waiver for financial hardship	

1. MATTERS FILED - GENERAL

- (a) Recent filings (previous and current financial years to 30.04.06)**
- (b) Increase in matters filed since 1982**

(a) Recent filings (previous and current financial years to 30.04.06)

TOTAL MATTERS FILED IN ALL JURISDICTIONS FOR THE PERIODS:1-7-2004 to 30-04-2004 and 1-7-2005 to 30-04-2006

<u>Registry</u>	<u>04\05</u>	<u>05\06</u>
Sydney	484	399
Melbourne	131	153
Brisbane	76	75
Adelaide	54	34
Perth	49	44
Canberra	21	14
Hobart	11	5
Darwin	5	6
TOTAL:	831	730

CATEGORIES OF MATTERS FILED IN ALL JURISDICTIONS FOR THE PERIODS:1-7-2004 to 30-04-2005 and 1-7-2005 to 30-04-2006

<u>Category</u>	<u>04\05</u>	<u>05\06</u>
Special Leave Applications (Civil)	603	509
Special Leave Applications (Criminal)	88	84
Appeals (Civil)	52	51
Appeals (Criminal)	10	10
Writ of Summons	15	19
Applications for Removal of Cause ^[1]	3	4
Cause Removed	0	2
Constitutional Writs ^[2]	53	43
Electoral Act ^[3]	2	0
Other ^[4]	5	8
TOTAL:	831	730

[1] Applications made in accordance with section 40 of the **Judiciary Act 1903 (Cth)**.

[2] Applications for Constitutional Writs made within the original jurisdiction of the Court conferred by section 75(v) of the **Constitution**.

[3] Election Petitions filed pursuant to section 353(1) of the **Commonwealth Electoral Act 1918** with the Court sitting as the Court of Disputed Returns.

[4] Ex parte applications for leave to issue proceedings where a Justice has directed, pursuant to Rule 6.07 of the High Court Rules 2004 that the Registrar refuse to issue the proceedings without the leave of a Justice first had and obtained by the party seeking to issue it.

MATTERS FILED IN THE HIGH COURT OF AUSTRALIA

(b) Increase in matters filed since 1982

Year	Matters filed
1982	264
1983	403
1984	454
1985	430
1986	488
1987	455
1988	516
1989	383
1990	336
1991	374
1992	533
1993	549
1994	523
1994/95	482
1995/96	516
1996/97	521 (1175 ¹)
1997/98	548
1998/99	615
1999/00	754
2000/01	688
2001/02	922
2002/03	2925 ²
2003/04	1045
2004/05	1054
2005/06*	730

¹ This figure includes 665 related writs of summons issued from the Darwin office of the Registry ("Stolen Generation Cases").

² This figure includes 1351 Prerogative Writs lodged subsequent to the decisions in the Muin & Lie immigration matters.

* Current to 30.04.2006

2. IMMIGRATION MATTERS

(a) Immigration matters filed 1997/98 – 2005/06

(b) Current immigration matters as at 15.04.06

(a) HIGH COURT OF AUSTRALIA IMMIGRATION MATTERS FILED BY CASE TYPE

	Special Leave Applications	Appeals	Removals & Causes Removed	Writs of Summons	Constitutional Writs	Other <i>LEAVE TO ISSUE</i>	Total
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Immigration	7	1	0	2	24	0	34
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1998/99							
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Total	407	64	25	20	82	17	615
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Immigration	307	10	4	3	206	1	531
Total	729	72	8	8	221	7	1045
2004/2005							
Immigration	457	7	0	9	56	1	530
Total	876	83	5	18	64	8	1054

(b) Current Immigration Matters as at 15 May 2006

Registry	Constitutional Writs	Writ of Summons	Special Leave Applications	Appeals
Adelaide	-	-	6	2
Brisbane	-	-	2	1
Canberra	-	-	-	-
Darwin	-	-	-	-
Hobart	-	-	-	-
Melbourne	16	-	32	1
Perth	-	-	3	1
Sydney	-	1	109	1
Total	16	1	152	6

3. SELF-REPRESENTED LITIGANTS

(a) Tables showing representative status and success rate

- i) Civil**
- ii) Criminal**
- iii) Total**

(b) Applications for special leave filed showing representative status

(c) Appearances before a Single Justice showing representative status

i) Special Leave Applications - Civil

	Special Leave Applications Decided				TOTAL DECIDED
	Special Leave Refused		Special Leave Granted		
	Represented	Self Represented	Represented	Self Represented	
1992/1993	103	7	29	-	139
1993/1994	138	19	42	2	201
1994/1995	127	29	33	2	191
1995/1996	89	29	42	1	161
1996/1997	118	31	48	1	198
1997/1998	102	45	33	1	181
1998/1999	72	44	42	2	160
1999/2000	155	68	51	1	275
2000/2001	113	57	59	1	230
2001/2002	128	78	61	0	267
2002/2003	100	69	50	4	223
2003/2004	119	117	51	3	290
2004/2005	186	247	73	2	508
2005/2006*	136	404	41	0	581
TOTAL	1686	1244	655	20	3605

³ * Current to 30 April 2006

Special Leave Applications Granted - Results of Subsequent Appeals

Year special leave granted	Represented		Self Represented	
	Special Leave Granted	Appeal Allowed**	Special Leave Granted	Appeal Allowed**
1992/1993	29	16	-	-
1993/1994	42	25	2	2
1994/1995	33	24	2	-
1995/1996	42	21	1	-
1996/1997	48	30	1	1
1997/1998	33	23	1	-
1998/1999	42	30	2	-
1999/2000	51	31	1	1
2000/2001	59	13	1	-
2001/2002	61	38	-	-
2002/2003	50	21	4	3
2003/2004	51	7	3	1
2004/2005	73	25	2	1
2005/2006*	41	7	0	0
TOTAL	655	311	20	9

** To 30 April 2006

** Appeals are not necessarily decided during the same year that special leave is granted.

ii) Special Leave Applications - Criminal

	Special Leave Applications Decided				TOTAL DECIDED
	Special Leave Refused		Special Leave Granted		
	Represented	Self Represented	Represented	Self Represented	
1992/1993	52	2	19	1	74
1993/1994	69	5	27	-	101
1994/1995	65	9	12	-	86
1995/1996	48	8	13	2	71
1996/1997	46	7	17	-	70
1997/1998	52	14	19	1	86
1998/1999	53	9	21	-	83
1999/2000	79	19	13	1	112
2000/2001	60	13	10	-	83
2001/2002	50	17	16	3	86
2002/2003	53	17	11	-	81
2003/2004	58	20	17	-	95
2004/2005*	73	21	15	-	109
2005/2006*	48	13	8	0	69
TOTAL	806	174	218	8	1206

4

⁴ ** To 30 April 2006

Special Leave Applications Granted - Results of Appeals (Criminal)

Year special leave granted	Represented		Self Represented	
	Special Leave Granted	Appeal Allowed**	Special Leave Granted	Appeal Allowed**
1992/1993	19	14	1	-
1993/1994	27	20	-	-
1994/1995	12	8	-	-
1995/1996	13	8	2	2
1996/1997	17	8	-	-
1997/1998	19	11	1	-
1998/1999	21	15	-	-
1999/2000	13	9	1	1
2000/2001	10	5	-	-
2001/2002	16	9	3	2
2002/2003	11	2	-	-
2003/2004	17	2	-	-
2004/2005	15	4	-	-
2005/2006*	8	1	-	-
TOTAL	218	116	8	5

* to 30 April 2006

** Appeals are not necessarily decided during the same year that special leave is granted.

iii) Special Leave Applications - Civil and Criminal

	Special Leave Applications Decided				TOTAL DECIDED
	Special Leave Refused		Special Leave Granted		
	Represented	Self Represented	Represented	Self Represented	
1992/1993	155	9	48	1	213
1993/1994	207	24	69	2	302
1994/1995	192	38	45	2	277
1995/1996	137	37	55	3	232
1996/1997	164	38	65	1	268
1997/1998	154	59	52	2	267
1998/1999	125	53	63	2	243
1999/2000	234	87	64	2	387
2000/2001	173	70	69	1	313
2001/2002	178	95	77	3	353
2002/2003	153	86	61	4	304
2003/2004	177	137	68	3	385
2004/2005	259	268	88	2	617
2005/2006*	184	417	49	0	650
TOTAL	2492	1418	873	28	4811

Special Leave Applications Granted - Results of Subsequent Appeals

Year special leave granted	Represented		Self Represented	
	Special Leave Granted	Appeal Allowed**	Special Leave Granted	Appeal Allowed**
1992/1993	48	30	1	-
1993/1994	69	45	2	2
1994/1995	45	32	2	-
1995/1996	55	29	3	2
1996/1997	65	38	1	1
1997/1998	52	34	2	-
1998/1999	63	45	2	-
1999/2000	64	40	2	2
2000/2001	69	18	1	-
2001/2002	77	47	3	2
2002/2003	61	23	4	3
2003/2004	68	9	3	1
2004/2005	88	29	2	1
2005/2006*	49	8	0	0
TOTAL	873	427	28	14

* to 30 April 2006

** Appeals are not necessarily decided during the same year that special leave is granted.

(b) APPLICATIONS FOR SPECIAL LEAVE FILED

1995/96	Unrepresented	Represented	Total
Civil	53 (19%)	219 (81%)	272
Criminal	23 (21%)	87 (79%)	110
Total	76 (20%)	306 (80%)	382

1996/97	Unrepresented	Represented	Total
Civil	69 (26%)	199 (74%)	268
Criminal	18 (18%)	83 (82%)	101
Total	87 (24%)	282 (76%)	369

1997/98	Unrepresented	Represented	Total
Civil	64 (26%)	181 (74%)	245
Criminal	13 (12%)	100 (88%)	113
Total	77 (22%)	281 (78%)	358

1998/99	Unrepresented	Represented	Total
Civil	79 (26%)	223 (74%)	302
Criminal	21 (20%)	84 (80%)	105
Total	100 (25%)	307 (75%)	407

1999/00	Unrepresented	Represented	Total
Civil	114 (29%)	280 (71%)	394
Criminal	22 (18%)	103 (82%)	125
Total	136 (26%)	383 (74%)	519

2000/01	Unrepresented	Represented	Total
Civil	123(33%)	247(67%)	370
Criminal	39 (31%)	86 (69%)	125
Total	162(33%)	333(67%)	495

2001/02	Unrepresented	Represented	Total
Civil	170 (43%)	223 (57%)	393
Criminal	27 (26%)	77 (74%)	104
Total	197 (40%)	300 (60%)	497

2002/03	Unrepresented	Represented	Total
Civil	219 (46%)	259 (54%)	478
Criminal	34 (27%)	93 (73%)	127
Total	253 (42%)	352 (58%)	605

2003/04	Unrepresented	Represented	Total
Civil	323 (54%)	280 (46%)	603
Criminal	27 (21%)	99 (79%)	126
Total	350 (48%)	379 (52%)	729

2004/05	Unrepresented	Represented	Total
Civil	486 (63%)	281 (37%)	767
Criminal	22 (20%)	87 (80%)	109
Total	508 (58%)	368 (42%)	876

2005/06*	Unrepresented	Represented	Total
Civil	303 (59%)	206 (41%)	509
Criminal	24 (28%)	60 (72%)	84
Total	327	266	593

* to 30 April 2006

(c) APPEARANCES BEFORE A SINGLE JUSTICE

	Unrepresented		Represented		Total
2000/01	32	19%	138	81%	170
2001/02	54	31%	121	69%	175
2002/03	71	7%	953	93%	1024
2003/04	101	47%	112	53%	213
2004/05	81	46%	101	55%	182
2005/06*	62	44%	78	56%	140

PUBLICATION OF REASONS AND PRONOUNCEMENT OF ORDERS

01-07-05 TO 30-04-06

DATE	WRITTEN CASE	APPLICATION BOOK	TOTAL
1/8/2005	13		13
4/8/2005	15	4	19
5/8/2005	51		51
10/8/2005	14		14
29/8/2005	16		16
30/8/2005	16		16
8/9/2005	33	11	44
8/9/2005	16		16
6/10/2005	11		11
6/10/2005	16		16
7/10/2005	12	2	14
20/10/2005	12		12
9/11/2005	11	7	18
14/11/2005	10		10
17/11/2005	22	2	24
14/12/2005	2	11	13
15/12/2005	19	1	20
9/2/2006	12		12
7/3/2006	20		20
8/3/2006	7		7
9/3/2006	14	4	18
11/4/2006	14		14
12/4/2006	14	2	16
TOTAL	370	44	414

During this 10 month period, there were 17 matters in which the Court, after considering the applicant's written case, directed that the applicant serve the written case on the respondent and proceed to prepare an application book.

Of those 17 matters:

1 was subsequently deemed abandoned

12 have been determined and the applications dismissed with costs and

8 were still outstanding as at 30 April 2006.

Of the 44 matters where application books had been filed, 39 were unrepresented applicants. This reflects the fact that there was a transitional period where there were still a number of unrepresented applicants who had commenced their applications before 1 January 2005, so that under the old High Court Rules 1952 procedures application books were prepared. Under the current High Court Rules 2004, an unrepresented applicant does not prepare an application book, unless there is a specific direction by the Court to do so.

5. FEES**(FILING FEES, HEARING FEES, DAILY HEARING FEES ETC)**

- (a) Waiver of fees 2002/03 to 2004/05**
- (b) Breakdown of waiver of fees 2001/02 to 2004/05**
- (c) Calculation of waiver of fees**
- (d) Fees for period 1 July 2004 to 31 December 2004, individuals and corporations**
- (e) Fees from 1 January 2005 - current**
- (f) Current Fees from 1 July 2005, individuals and corporations - One third waiver for financial hardship**

HIGH COURT OF AUSTRALIA (FEES) REGULATIONS

Waiver of fees during 2002/03

Exemption Category	Sources of Exemption	No.	Amount
Legal Aid	Reg.4(4)(a)/4A(2)(b)/5(2)(b)	29	\$20,703.00
Social security law concession cardholder or Veterans' Affairs cardholder	Reg.4(4)(b)(i)&(ii)/4A(2)(c)(i) &(ii)/5(2)(c)(i)&(ii)	131	\$166,680.00
Prison inmate/person in lawful Detention	Reg.4(4)(b)(iii)/4A(2)(c)(iii)/5(2)(c)(iii)	262	\$195,469.00
Child under the age of 18 years	Reg.4(4)(b)(iv)/4A(2)(c)(iv)/5(2)(c)(iv)	4	\$10,045.00
Youth allowance or Austudy payment recipient	Reg.4(4)(b)(v)/4A(2)(c)(v)/5(2)(c)(v)	1	\$72.00
ABSTUDY recipient	Reg.4(4)(b)(vi)/4A(2)(c)(vi)/5(2)(c)(vi)	0	Nil
Financial Hardship	Reg.4(4)(c)/4A(2)(d)/5(2)(d)	2085	\$3,151,045.00
TOTAL		2512	\$3,544,014.00

Waiver of fees during 2003/04

Exemption Category	Sources of Exemption	No.	Amount
Legal Aid	Reg.4(4)(a)/4A(2)(b)/5(2)(b)	23	\$8,055.00
Social security law concession cardholder or Veterans' Affairs cardholder	Reg.4(4)(b)(i)&(ii)/4A(2)(c)(i) & (ii)/5(2)(c)(i) & (ii)	93	\$127,769.00
Prison inmate/person in lawful Detention	Reg.4(4)(b)(iii)/4A(2)(c)(iii)/5(2)(c)(iii)	182	\$156,118.00
Child under the age of 18 years	Reg.4(4)(b)(iv)/4A(2)(c)(iv)/5(2)(c)(iv)	6	\$7,462.00
Youth allowance or Austudy payment recipient	Reg.4(4)(b)(v)/4A(2)(c)(v)/5(2)(c)(v)	1	\$1,148.00
ABSTUDY recipient	Reg.4(4)(b)(vi)/4A(2)(c)(vi)/5(2)(c)(vi)	0	Nil
Financial Hardship	Reg.4(4)(c)/4A(2)(d)/5(2)(d)	347	\$453,460.00
TOTAL		652	\$754,012.00

Waiver of fees during 2004/05

Exemption Category	Sources of Exemption	No.	Amount
Legal Aid	Regulation 9(1)(a)	22	\$18,887
Holder of a concession card	Regulation 9(1)(b)(i)	88	\$122,089
Prison inmate/person in lawful detention	Regulation (9)(1)(b)(ii)	99	\$81,409
Child under the age of 18 years	Regulation (9)(1)(b)(iii)	6	\$20,891
Youth allowance or austudy payment recipient	Regulation (9)(1)(b)(iv)	0	Nil
ABSTUDY recipient	Regulation (9)(1)(b)(v)	0	Nil
Financial Hardship	Regulation 10	362	\$471,073
TOTAL		577	\$714,349

Waiver of fees during 2005/06*

Exemption Category	Sources of Exemption	No.	Amount
Legal Aid	Regulation 9(1)(a)	19	\$19,850
Holder of a concession card	Regulation 9(1)(b)(i)	65	\$91,714
Prison inmate/person in lawful detention	Regulation (9)(1)(b)(ii)	62	\$44,814
Child under the age of 18 years	Regulation (9)(1)(b)(iii)	13	\$20,058
Youth allowance or austudy payment recipient	Regulation (9)(1)(b)(iv)	1	\$808
ABSTUDY recipient	Regulation (9)(1)(b)(v)	0	Nil
Financial Hardship	Regulation 10	230	\$199,266
TOTAL		390	\$376,510

* Current to 30 April 2006

BREAKDOWN OF FEE WAIVER

Breakdown of waiver 2001-02

Leave to appeal		Constitutional Writs	
Unrepresented/waived	168	Unrepresented/waived	29
Unrepresented/paid	29	Unrepresented/paid	14
Represented/waived	92	Represented/waived	212
Represented/paid	208	Represented/paid	45
TOTAL	497	TOTAL	300

Breakdown of waiver - 2002-03

Leave to appeal		Constitutional Writs	
Unrepresented/waived	226	Unrepresented/waived	203
Unrepresented/paid	27	Unrepresented/paid	104
Represented/waived	150	Represented/waived	1460
Represented/paid	202	Represented/paid	364
TOTAL	605	TOTAL	2131

Breakdown of waiver - 2003-04

Leave to appeal		Constitutional Writs	
Unrepresented/waived	307	Unrepresented/waived	138
Unrepresented/paid	46	Unrepresented/paid	13
Represented/waived	132	Represented/waived	47
Represented/paid	244	Represented/paid	23
TOTAL	729	TOTAL	221

Breakdown of waiver - 2004-05

Leave to appeal		Constitutional Writs	
Unrepresented/waived	371	Unrepresented/waived	41
Unrepresented/paid	137	Unrepresented/paid	10
Represented/waived	117	Represented/waived	6
Represented/paid	251	Represented/paid	7
TOTAL	876	TOTAL	64

Breakdown of waiver - 2005-06*

Leave to appeal	Constitutional Writs
Unrepresented/waived	Unrepresented/waived
Unrepresented/paid	Unrepresented/paid
Represented/waived	Represented/waived
Represented/paid	Represented/paid
<hr/>	<hr/>
TOTAL	TOTAL
<hr/>	<hr/>

Note

No figures are yet available for the current financial year. The 2005-2006 figures contain figures for the partial waiver of fees for financial hardship. A new reporting system to encompass this partial waiver is currently being tested.

Currently when a financial waiver is given that waiver will be recorded both in the fees paid report and the fees waived report.

CALCULATION OF WAIVER OF FEES^[1]**01/07/02 - 30/06/04:**

Order 55 rule 1	\$1,435 (including chamber hearing)
Writ or Petition	\$3,731 (including hearing fee and first day Full Court)
Civil SLA	\$1,148
Criminal SLA	\$72
S.40 Removal App	\$2,009 (including daily hearing fee)
Civil Notice of Appeal	\$3,731 (including hearing fee and first day Full Court)
Criminal Notice of Appeal	\$1,129 (including hearing fee)

^[1] Individual rate

NB. To calculate the number of cases attracting a filing fee (see second paragraph, Cost of Litigation; Waiver of Fees) matters listed as "other" in Table 2 (applications for leave to issue and causes removed) are not counted as they do not attract a filing fee.

Schedule 1

FEES FOR FILING, ISSUING OR SEALING A DOCUMENT OR OBTAINING A SERVICE – INDIVIDUALS

DOCUMENT OR SERVICE MENTIONED IN SUBREGULATION 4(1) (1 July 2004 – 31 December 2004)

ITEM NO.	DOCUMENT OR SERVICE	FILING FEE FEE	HEARING FEE	DAILY HEARING
1.	Application under rule 1 of Order 55 of the Rules	\$1,211.00	nil	\$303.00 (1/2 day Single J); \$908.00 (Full Court)
2.	Writ of summons or petition	\$1,211.00	\$1,817.00	\$908.00
3.	Civil leave or civil special leave application	\$1,211.00	nil	nil
4.	Criminal special leave application	\$76.00	nil	nil
5.	Application initiating a proceeding (including removals under section 40 of the Act, but not including an application referred to in another item of this Schedule)	\$1,211.00	nil	\$908.00
5A.	Application for summons for directions	\$303.00 (1/2 day Single J)	nil	\$303.00
6.	Civil notice of appeal	\$1,211.00	\$1,817.00	\$908.00
6A.	Criminal notice of appeal	\$445.00	\$746.00	nil
7.	Certificate of the Registrar other than a certificate of taxation	\$43.00	n/a	n/a
8.	Taxing a bill of costs for every \$100.00, or part of \$100.00	\$9.00	n/a	n/a
9.	Searching or inspecting a document for each hour or part of an hour	\$14.00	n/a	n/a
10.	Making a photocopy or office copy of any document - for each page	\$3.00	n/a	n/a
11.	Copy of reasons for judgment -			
	(a) for each copy issued to a person not a party to the proceedings; and	\$3.00	n/a	n/a
	(b) for each copy in excess of one copy issued to a party to the proceedings; and	\$3.00	n/a	n/a
	(c) in respect of each copy issued			
	(i) for each page in excess of 10 pages; or	\$1.00	n/a	n/a
	(ii) maximum per copy	\$30.00	n/a	n/a
12.	Annual subscriptions for copies of reasons for judgments (including postage)	\$521.00	n/a	n/a
13.	Transcript (for each page)	\$8.00	n/a	n/a

Schedule 1

FEES FOR FILING, ISSUING OR SEALING A DOCUMENT OR OBTAINING A SERVICE – CORPORATIONS

DOCUMENT OR SERVICE MENTIONED IN SUBREGULATION 4(1) (1 July 2004 – 31 December 2004)

ITEM NO.	DOCUMENT OR SERVICE	FILING FEE	HEARING FEE	DAILY HEARING
1.	Application under rule 1 of Order 55 of the Rules	\$2,422.00	nil	\$606.00 (1/2 day Single J) \$1,817.00 (Full Court)
2.	Writ of summons or petition	\$2,422.00	\$3,633.00	\$1,817.00
3.	Civil leave or civil special leave application	\$2,422.00	nil	nil
4.	Criminal special leave application	\$76.00	nil	nil
5.	Application initiating a proceeding (including removals under section 40 of the Act, but not including an application referred to in another item of this Schedule)	\$2,422.00	nil	\$1,817.00
5A.	Application for summons for directions	\$606.00	nil	\$606.00 (1/2 day Single J)
6.	Civil notice of appeal	\$2,422.00	\$3,633.00	\$1,817.00
6A.	Criminal notice of appeal	\$445.00	\$746.00	nil
7.	Certificate of the Registrar other than a certificate of taxation	\$43.00	n/a	n/a
8.	Taxing a bill of costs for every \$100.00, or part of \$100.00	\$9.00	n/a	n/a
9.	Searching or inspecting a document for each hour or part of an hour	\$14.00	n/a	n/a
10.	Making a photocopy or office copy of any document - for each page	\$3.00	n/a	n/a
11.	Copy of reasons for judgment -			
	(a) for each copy issued to a person not a party to the proceedings; and	\$3.00	n/a	n/a
	(b) for each copy in excess of one copy issued to a party to the proceedings; and	\$3.00	n/a	n/a
	(c) in respect of each copy issued			
	(i) for each page in excess of 10 pages;	\$1.00	n/a	n/a
	or			
	(ii) maximum per copy	\$30.00	n/a	n/a
12.	Annual subscriptions for copies of reasons for judgments (including postage)	\$521.00	n/a	n/a
13.	Transcript (for each page)	\$8.00	n/a	n/a

HIGH COURT OF AUSTRALIA (FEES) REGULATIONS 2004
SCHEDULE 1
FEES FOR FILING, ISSUING OR SEALING A DOCUMENT OR OBTAINING A SERVICE
(commencing 1 January 2005)

ITEM NO	DOCUMENT OR SERVICE	FILING FEE	HEARING FEE	ADDITIONAL HEARING FEE
101 303 304	Application for an order to show cause in relation to a writ of certiorari, a writ of mandamus, a writ of habeas corpus or an order for production, a writ	(a) for a corporation \$2,422 (b) in any other case \$1,211	Nil	(a) for a corporation: • \$606 (1/2 day single Justice); • \$1,817 (Full Court) (b) in any other case: • \$303 (1/2 day single Justice) • \$908 (Full Court)
102 302 303 304	Writ of summons or petition	(a) for a corporation \$2,422 (b) in any other case \$1,211	(a) for a corporation \$3,633 (b) in any other case \$1,817	(a) for a corporation: • \$606 (1/2 day single Justice); • \$1,817 (Full Court) (b) in any other case: • \$303 (1/2 day single Justice) • \$908 (Full Court)
103	Civil leave or special leave application	(a) for a corporation \$2,422 (b) in any other case \$1,211	Nil	Nil
104	Criminal special leave application	\$76	Nil	Nil
105	Application initiating a proceeding (including removals under section 40)	(a) for a corporation \$2,422	Nil	(a) for a corporation: • \$606 (1/2 day single

	of the Act, but not including an application referred to in another item of this Schedule	(b) in any other case \$1,211	(b) in any other case	Justice); • \$1,817 (Full Court) (b) in any other case: • \$303 (1/2 day single Justice) • \$908 (Full Court)
106 302 304	Civil notice of appeal	(a) for a corporation \$2,422 (b) in any other case \$1,211	(a) for a corporation \$3,633 (b) in any other case \$1,817	(a) for a corporation: \$1,817 (b) in any other case: \$908
107 301	Criminal notice of appeal	\$445	\$746	Nil
303 304	Summons (other than a summons for directions or a summons mentioned in rule 25.03.1 of the <i>High Court Rules 2004</i>)	Nil		(a) for a corporation: • \$606 (1/2 day single Justice); • \$1,817 (Full Court) (b) in any other case: • \$303 (1/2 day single Justice) • \$908 (Full Court)
108	Certificate of the Registrar other than a certificate of Taxation	\$43	n/a	n/a
109	Taxing a bill of costs for every \$100, or part of \$100	\$9	n/a	n/a
201	Searching or inspecting a document for each hour or part of an hour	\$14	n/a	n/a

202	Making a photocopy or office copy of any document - for each page	\$3	n/a	n/a
203	Copy of reasons for judgment - (a) for each copy issued to a person not a party to the proceedings; (b) for each copy in excess of one copy issued to a party to the proceedings; and (c) in respect of each copy issued (i) for each page in excess of 10 pages; or (ii) maximum per copy	\$3 \$3 \$1 \$30		
204	Annual subscriptions for copies of reasons for judgments	\$521	n/a	n/a
205	Transcript (for each page)	\$8	n/a	n/a

HIGH COURT OF AUSTRALIA (FEES) REGULATIONS 2004
SCHEDULE 1
FEES FOR FILING, ISSUING OR SEALING A DOCUMENT OR OBTAINING A SERVICE
 (commencing 1 July 2005)

**FEES PAYABLE WHERE REGISTRAR HAS WAIVED PAYMENT OF TWO-THIRDS OF THE FEE ON THE BASIS OF FINANCIAL
 HARDSHIP
 PURSUANT TO REGULATION 10**

ITEM NO	DOCUMENT OR SERVICE	FILING FEE	HEARING FEE	ADDITIONAL HEARING FEE
101 303 304	Application for an order to show cause in relation to a writ of certiorari, a writ of mandamus, a writ of habeas corpus or an order for production, a writ	(c) for a corporation \$807 (d) in any other case \$403	Nil	(c) for a corporation: • \$202 (1/2 day single Justice); • \$605 (Full Court) (d) in any other case: • \$101 (1/2 day single Justice) • \$302 (Full Court)
102 302 303 304	Writ of summons or petition	(c) for a corporation \$807 (d) in any other case \$403	(c) for a corporation \$1,211 (d) in any other case \$605	(c) for a corporation: • \$202 (1/2 day single Justice); • \$605 (Full Court) (d) in any other case: • \$101 (1/2 day single Justice) • \$302 (Full Court)
103	Civil leave or special leave application	(c) for a corporation \$807 (d) in any other case \$403	Nil	Nil
104	Criminal special leave application	\$25	Nil	Nil
105	Application initiating a proceeding (including removals under section 40	(c) for a corporation \$807	Nil	(c) for a corporation: • \$202 (1/2 day single Justice);

	of the Act, but not including an application referred to in another item of this Schedule)	(d) in any other case \$403		<ul style="list-style-type: none"> • \$605 (Full Court) (d) in any other case: <ul style="list-style-type: none"> • \$101 (1/2 day single Justice) • \$302 (Full Court)
106 302 304	Civil notice of appeal	(c) for a corporation \$807	(c) for a corporation \$1,211	(c) for a corporation: \$605
107 301	Criminal notice of appeal	(d) in any other case \$403	(d) in any other case \$605	(d) in any other case: \$302
		\$148	\$248	Nil
303 304	Summons (other than a summons for directions or a summons mentioned in rule 25.03.1 of the <i>High Court Rules 2004</i>)	Nil		<ul style="list-style-type: none"> (c) for a corporation: <ul style="list-style-type: none"> • \$202 (1/2 day single Justice); • \$605 (Full Court) (d) in any other case: <ul style="list-style-type: none"> • \$101 (1/2 day single Justice) • \$302 (Full Court)