



DUST DISEASES TRIBUNAL OF NSW

ADVICE TO PRACTITIONERS (No.1 of 2021)

NEW TRIBUNAL FEES COMMENCING 1 JULY 2021

Practitioners are advised that the Dust Diseases Tribunal Amendment (Fees) Regulation 2021 commenced on 1 July 2021.

A copy of the fees are attached.

Daniel Watson
Registrar
1 July 2021



New South Wales

Justice Legislation Amendment (Fees) Regulation 2021

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the following Acts—

- (a) *Civil and Administrative Tribunal Act 2013*,
- (b) *Civil Procedure Act 2005*,
- (c) *Criminal Procedure Act 1986*,
- (d) *Dust Diseases Tribunal Act 1989*,
- (e) *Succession Act 2006*.

MARK SPEAKMAN, MP
Attorney General, and Minister for Prevention of Domestic and Sexual Violence

Explanatory note

The object of this Regulation is to increase certain fees imposed under various legislation relating to justice. The fee increases are generally in line with movements in the Consumer Price Index.

Justice Legislation Amendment (Fees) Regulation 2021

1 Name of Regulation

This Regulation is the *Justice Legislation Amendment (Fees) Regulation 2021*.

2 Commencement

This Regulation commences on 1 July 2021 and is required to be published on the NSW legislation website.

Schedule 4 Amendment of Dust Diseases Tribunal Regulation 2019

Schedule 1

Omit the Schedule. Insert instead—

Schedule 1 Fees

clause 4

	Column 1	Column 2	Column 3
Item	Matter for which fee payable	Standard fee	Corporation fee
1	Filing an initiating process	\$216	\$432
2	Filing a cross-claim	\$216	\$432
3	First directions hearing	\$861	\$1,722
4	Filing a notice of motion	\$223	\$446
5	Opening or keeping open the registry or part of the registry—		
	(a) on a Saturday, Sunday or public holiday	\$764	\$1,528
	(b) on another day—		
	(i) before 8.30am or after 4.30pm	\$764	\$1,528
	(ii) between 8.30am and 9am or 4pm and 4.30pm	\$80	\$160
6	Retrieving, providing access to and supplying a copy of a document, otherwise than as provided for by items 7, 10 and 15—		
	(a) for the first 20 pages	\$13	—
	(b) for each 10 pages, or part of 10 pages, after the first 20 pages	\$7	—
7	Supplying a copy of the written opinion or reasons for opinion of a member of the Tribunal—		
	(a) for a printed copy	\$75	—
	(b) for another kind of copy	\$46	—
	Note— A party to proceedings before the Tribunal is entitled to 1 copy of the opinion or reasons for opinion in relation to the proceedings without charge.		
8	Supplying 1 or more sealed or certified copies of a judgment or order of the Tribunal	\$75	—
9	Supplying a duplicate recording of sound-recorded evidence, for each disc	\$56	—
10	Supplying a copy of a transcript of proceedings—		
	(a) for each page, where the matter being transcribed is less than 3 months old—		

	Column 1	Column 2	Column 3
Item	Matter for which fee payable	Standard fee	Corporation fee
	(i) for up to 8 pages	\$92	—
	(ii) for each page over 8 pages	\$11	—
	(b) for each page, where the matter being transcribed is 3 or more months old—		
	(i) for up to 8 pages	\$111	—
	(ii) for each page over 8 pages	\$13	—
	Note— A person who is supplied with a copy of a transcript of proceedings of the Tribunal by a third party provider, not being the Tribunal or the Department of Communities and Justice's Reporting Services Branch, may be liable to pay a fee stipulated by that provider for that service. A fee stipulated by a third party provider is not subject to this item.		
11	Issuing a subpoena for production	\$87	\$174
12	Issuing a subpoena to give evidence	\$42	\$84
13	Issuing a subpoena for production and to give evidence	\$87	\$174
14	Receipt by the registrar of a document or thing produced in compliance with a notice to produce under the <i>Uniform Civil Procedure Rules 2005</i> , Part 34	\$87	\$174
15	Retrieving and providing access to, but not supplying a copy of, a file or box of files in relation to proceedings before the Tribunal, where the file or box of files is retrieved from an off-site storage facility—		
	(a) standard retrieval request, for each file or box of files	\$85	—
	(b) non-standard retrieval request, including an urgent retrieval request, a high or after hours priority retrieval request or a retrieval request for delivery to or from a regional location outside the Sydney metropolitan area	The additional fee incurred by the Tribunal	—
16	Requesting production to the court of documents held by another court	\$64	\$128
17	Providing a service for which a fee is not otherwise provided for in this Schedule	\$45	\$90
	Note— This fee is chargeable only with the approval of the registrar.		