



Victoria Government Gazette

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Subordinate Legislation Act 1994

NOTICE OF PREPARATION OF REGULATORY IMPACT STATEMENT

Supreme Court (Fees) Regulations 2012 and County Court (Fees) Regulations 2012

Notice is given under section 11 of the **Subordinate Legislation Act 1994** that a Regulatory Impact Statement (RIS) has been prepared in relation to the proposed Supreme Court (Fees) Regulations 2012 and the County Court (Fees) Regulations 2012.

The proposed regulations will be made under section 129 of the **Supreme Court Act 1986** and section 79A of the **County Court Act 1958**. The fees are required due to the expiry of the Supreme Court (Fees) Regulations 2001 and the County Court (Court Fees) Order 2001 on 17 December 2012.

Objectives

The objectives of these regulations is to prescribe the fees to be paid by court users in respect of civil matters in the Victorian Supreme Court and the County Court.

The RIS explains the public and private benefits which arise out of the operation of the civil jurisdiction of the courts, leading to the view that courts should be funded partly by the public and partly by court users. The RIS examines a range of options for increasing the fees paid by court users.

The preferred option for the Supreme Court is recovery of 40% of the costs of running the civil jurisdiction. Specific fees have been adjusted to limit the quantum of fee changes, introduce some parity with the Federal Court and encourage parties to use court annexed mediation. No changes are made to probate or legal admission fees.

For the County Court, the preferred option is recovery of 50% of the costs of running the civil jurisdiction. Fees with a Supreme Court equivalent have been adjusted to 80% of the equivalent Supreme Court fee. This reflects the position of the County Court in the Victorian court hierarchy vis-à-vis the Supreme Court.

Submissions

Submissions on the RIS and proposed regulations are invited, and must be received no later than 5.00 pm on Wednesday 21 November 2012. The submissions will be considered before the proposed regulations are made. Please note that submissions are subject to the **Freedom of Information Act 1982** and copies will be provided to the Scrutiny of Acts and Regulations Committee.

Email submissions are preferred and can be sent to: legalpolicysubmissions@justice.vic.gov.au with the subject 'Supreme Court and County Court Fee Regulations'.

Alternatively, submissions can be made by post marked 'Supreme Court and County Court Fee Regulations' and addressed to:

Regulations Officer
Courts Policy
Strategic Policy and Legislation
Department of Justice
GPO Box 4356
Melbourne, Victoria 3000

Copies of the RIS and proposed regulations can be obtained from the Department of Justice website at www.justice.vic.gov.au/ris

Dated 22 October 2012

ROBERT CLARK, MP
Attorney-General

SPECIAL

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