



# Victoria Government Gazette

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## Subordinate Legislation Act 1994

### NOTICE OF REGULATORY IMPACT STATEMENT

#### Victorian Civil and Administrative Tribunal (Fees) Regulations 2013

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 Victorian Civil and Administrative Tribunal (Fees) Regulations 2013.

The proposed regulations will be made under section 161 of the **Victorian Civil and Administrative Tribunal Act 1998**.

#### Objectives

The objectives of these Regulations are to prescribe the fees payable for the commencement, hearing and alternative dispute resolution of proceedings in the Victorian Civil and Administrative Tribunal (VCAT), the fees payable for administrative services provided by VCAT, and various other matters relating to fees payable under the **Victorian Civil and Administrative Tribunal Act 1998**.

The RIS explains the likely impact of the proposed regulations and assesses the benefits and costs of the proposed regulations and the feasible alternatives for achieving the same objectives. The RIS considers the requirement that the public have access to justice and the appropriate balance between public and private contributions to the operations of VCAT. After canvassing the various options, the RIS proposes the fees payable at VCAT be set at such a level as to recover 45% of the costs of the expenditure on VCAT's operations from Parliamentary appropriation.

However, in recognition of the fact that VCAT's cost recovery levels are currently very low, and raising cost recovery to 45% will involve a significant increase in most of VCAT's fees, the RIS proposes that fees will be increased gradually over the next three years; to recover 35% of costs in the first year, 40% of costs in the second year, and 45% of costs in the third year. The RIS proposes that the regulations will be made to sunset after three years, to require a reassessment of the impacts of increased fees at VCAT within a short time.

#### Submissions

Submissions on the RIS and proposed regulations are invited, and must be received no later than 5.00 pm on Friday 15 February 2013. The submissions will be considered before the proposed regulations are made. Please note that the 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](mailto:legalpolicysubmissions@justice.vic.gov.au) with the subject 'VCAT Fee Regulations'.

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

Regulations Officer  
Courts Policy  
Strategic Policy and Legislation  
Department of Justice  
PO Box 13193  
Law Courts, 8010

Copies of the proposed Regulations and the RIS can be obtained from the Department of Justice website at [www.justice.vic.gov.au/ris](http://www.justice.vic.gov.au/ris)

ROBERT CLARK, MP  
Attorney-General

**SPECIAL**

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