



Victoria Government Gazette

No. S 259 Wednesday 25 July 2012
By Authority of Victorian Government Printer

Subordinate Legislation Act 1994

NOTICE OF REGULATORY IMPACT STATEMENT

Magistrates' Court (Fees) Regulations 2012 and Juries (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 Magistrates' Court (Fees) Regulations 2012 and Juries (Fees) Regulations 2012.

The proposed regulations will be made under section 140 of the **Magistrates' Court Act 1989** and section 90 of the **Juries Act 2000**. The fees are required due to the expiry of the Magistrates' Court (Fees, Costs and Charges) Interim Regulations 2012 and the Juries (Fees) Interim Regulations 2012 on 30 September 2012.

Objectives

The objectives of these regulations is to set out the fees paid by court users in the civil and criminal jurisdictions of the Magistrates' Court, and the fees paid by court users in the County and Supreme Court who elect to have a trial by jury in a civil matter.

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 the courts. After canvassing the various options, the RIS proposes the fees payable in the civil jurisdiction of the Magistrates' Court be set to recover 50% of costs of the civil jurisdiction in the Magistrates' Court. The RIS also proposes an increase to specific fees in the criminal jurisdiction of the Magistrates' Court.

After canvassing various options, the RIS proposes a fee level that recovers 100% of the costs of a civil jury.

Submissions

Submissions on the Regulatory Impact Statement and proposed regulations are invited, and must be received no later than 5.00 pm on Wednesday 22 August 2012. 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 with the subject 'Magistrates' Court and Juries Fee Regulations'.

Alternatively, submissions can be made by post marked 'Magistrates' Court and Juries 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

ROBERT CLARK, MP
Attorney-General

SPECIAL

bluestar * **PRINT**

The *Victoria Government Gazette* is published by Blue Star Print with the authority of the Government Printer for the State of Victoria

© State of Victoria 2012

This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act.

Address all enquiries to the Government Printer for the State of Victoria

Level 2, 1 Macarthur Street
Melbourne 3002
Victoria Australia

How To Order**Mail Order****Victoria Government Gazette**

Level 5, 460 Bourke Street
Melbourne 3000
PO Box 1957 Melbourne 3001
DX 106 Melbourne

**Telephone**

(03) 8523 4601

**Fax**

(03) 9600 0478

email

gazette@bluestargroup.com.au

**Retail & Mail Sales****Victoria Government Gazette**

Level 5, 460 Bourke Street
Melbourne 3000
PO Box 1957 Melbourne 3001

**Telephone**

(03) 8523 4601

**Fax**

(03) 9600 0478

**Retail Sales****Victorian Government Bookshop**

Level 20, 80 Collins Street
Melbourne 3000

**Telephone**

1300 366 356

**Fax**

(03) 9208 3316

Price Code A