

Commercial Dispute Resolution Update

New Fee Regulations in Queensland Supreme and District Courts

Background

From 1 September 2011, the fees charged by the Supreme and District Courts in civil matters will change in both amount and when a fee will be payable pursuant to the *Uniform Civil Procedure (Fees) and Other Legislation Amendment Regulation (No. 1) 2011*.

The new fee structure only applies to matters where the originating process was filed on or after 1 September 2011 and as such the below fees do not apply to matters filed before this time.

Implementation of the new fee structure can be summarised briefly as follows:

- Increased filing fees for originating processes;
- Separate fees for proceedings under the *Corporations Act 2001* and *Admiralty Act 1988*;
- Counter-claims and cross-appeals attract a filing fee and are now deemed originating processes;
- Setting down and hearing fees for trials or hearings;
- Fee reductions; and
- Fees for issuing subpoenas.

Summary of fees payable in the Supreme and District Court under Schedule 1

Item 1(1) & 1(2) - ORIGINATING PROCESS - Corporations Act 2001/Admiralty Act 1988		
	Supreme Court	District Court
Corporation	\$2142	Not Applicable
Otherwise	\$894	Not Applicable
Item 1(3) & 1(4) - ORIGINATING PROCESS - ALL OTHER PROCEEDINGS		
	Supreme Court	District Court
Corporation	\$1500	\$1350
Otherwise	\$750	\$675
Item 1(5) - APPEALS - ALL PROCEEDINGS INCLUDING LEAVE TO APPEAL AND CROSS-APPEALS		
	Supreme Court	District Court
Corporation	\$2250	\$2025
Otherwise	\$1125	\$1010
Item 4 - SUBPOENAS - ALL PROCEEDINGS		
	Supreme Court	District Court
Corporation	\$73	\$73
Otherwise	\$73	\$73
Item 5(1) - SETTING DOWN FEE - Corporations Act 2001/Admiralty Act 1988		
	Supreme Court	District Court
Corporation	\$3569	Not Applicable
Otherwise	\$1786	Not Applicable

Item 5(2) -SETTING DOWN FEE - ALL OTHER PROCEEDINGS		
	Supreme Court	District Court
Corporation	\$2500	\$2250
Otherwise	\$1250	\$1125
Item 6(1) - HEARING FEES - - Corporations Act 2001/Admiralty Act 1988		
	Supreme Court	District Court
Corporation	2-4 Days: \$1428 per day 5-9 Days: \$2568 per day 10+ Days: \$5068 per day	Not Applicable
Otherwise	2-4 Days: \$712 per day 5-9 Days: \$1184 per day 10+ Days: \$2384 per day	Not Applicable
Item 6(2) - HEARING FEES - ALL OTHER PROCEEDINGS		
	Supreme Court	District Court
Corporation	2-4 Days: \$1000 per day 5-9 Days: \$1800 per day 10+ Days: \$3500 per day	2-4 Days: \$900 per day 5-9 Days: \$1620 per day 10+ Days: \$3150 per day
Otherwise	2-4 Days: \$500 per day 5-9 Days: \$900 per day 10+ Days: \$1750 per day	2-4 Days: \$450 per day 5-9 Days: \$810 per day 10+ Days: \$1575 per day

Reduced fees may be applicable for hardship cases and parties on Government benefits.

The above fees potentially may be a significant factor to be considered when bringing proceedings, negotiating a settlement or proceeding to trial. This applies to the party liable to pay the fees at first instance and a party potentially liable if a costs order may be made in the proceedings.

This article was produced by Herbert Geer Lawyers.
It is intended to provide general information in summary form on legal issues.
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