



Federal Court of Australia

National Guide to Discretionary Items in Bills of Costs

This guide to parties and solicitors is provided in accordance with Order 62 rule 46(5) of the *Federal Court Rules*.

Schedule 2 to the *Rules* provides taxing officers with a discretion in relation to claims made for copies (item 16), perusal (item 17) and general care and conduct (item 41). The information set out in the table below provides a guide about how those discretions are commonly exercised.

The information may be used by taxing officers of the Federal Court when making an estimate pursuant to Order 62 rule 46 or upon taxation of a party and party Bill of Costs. The guide is not, however, to be regarded as limiting the taxing officers' discretion to allow higher or lower fees if it is considered appropriate. Similarly, the guide is not to be regarded as limiting the taxing officers' discretion as to the methodology by which those fees are quantified.

This guide takes effect from 26 May 2009.

Warwick Soden
Registrar

Item	Common Approach
16 – Copies	Rates are adjusted according to the amount of copying required to be done as follows: 0 – 10 \$2 per page 11 – 50 50¢ per page 51 – 500 25¢ per page 501+ at the taxing officer's discretion.
17 – Perusal	Where a claim for up to 29 folios is made, it is determined in the manner prescribed by Item 17. Where a claim for 30 or more folios is made, then both the number of pages perused and the time spent doing so may be considered. The charge for the time spent may be quantified by reference to Item 31.
41 – General Care and Conduct	A percentage in the range of 0-20% is commonly allowed. Where a matter is of particular complexity (having regard to all of the considerations set out in Item 41), a percentage in excess of 20% may be allowed.