



New South Wales

PARLIAMENTARY COUNSEL

Opinion

Administrative Decisions Tribunal Act 1997
Proposed Administrative Decisions Tribunal Amendment (Fees) Regulation 2011

Your ref: Nick Sandrejko
Our ref: FHG s2011-176-d04

In my opinion the attached draft Regulation may legally be made.

The Regulation should be published on the NSW legislation website on or before 1 August 2011.

A handwritten signature in blue ink, appearing to be "D Colagiuri".

(D COLAGIURI)
Parliamentary Counsel

19 July 2011

The Director-General
Department of Attorney General and Justice



New South Wales

Administrative Decisions Tribunal Amendment (Fees) Regulation 2011

under the

Administrative Decisions Tribunal Act 1997

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Administrative Decisions Tribunal Act 1997*.

Attorney General

Explanatory note

The object of this Regulation is to increase certain fees payable in respect of proceedings before the Administrative Decisions Tribunal.

This Regulation is made under the *Administrative Decisions Tribunal Act 1997*, including sections 43 (1), 56 (1) and 145 (the general regulation-making power).

Administrative Decisions Tribunal Amendment (Fees) Regulation 2011

under the

Administrative Decisions Tribunal Act 1997

1 Name of Regulation

This Regulation is the *Administrative Decisions Tribunal Amendment (Fees) Regulation 2011*.

2 Commencement

This Regulation commences on 1 August 2011 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Administrative Decisions Tribunal Regulation 2009

[1] Clause 8 Fees

Omit “\$36” from clause 8 (2). Insert instead “\$37”.

[2] Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Fees

(Clause 8)

Column 1	Column 2
Matter for which fee is charged	Fee
Application to Tribunal for original decision (but not if under <i>Legal Profession Act 2004</i> or <i>Public Notaries Act 1997</i>):	
(a) if application must be determined by the Tribunal constituted by 2 or more members, or	\$153
(b) in any other case	\$73
Application to Tribunal for review of reviewable decision:	
(a) if application must be determined by the Tribunal constituted by 2 or more members, or	\$153
(b) in any other case	\$73
Copy or certified copy of decision or written reasons.	\$70
Note. A party to the proceedings is entitled to one copy of the decision or written reasons without charge.	
Issue a summons (for production, to give evidence or both)	\$34
Lodge internal appeal or external appeal	\$301
Request production to Tribunal of documents held by court	\$53
Retrieve any document or file from archives	\$70
Supply duplicate sound recording of proceedings, per cassette tape or disc	\$45.50
Supply transcript—proceedings that are under 3 months old:	
(a) per page, or	\$9.70
(b) if less than 9 pages	\$79

Administrative Decisions Tribunal Amendment (Fees) Regulation 2011

Schedule 1 Amendment of Administrative Decisions Tribunal Regulation 2009

Column 1	Column 2
Matter for which fee is charged	Fee
Supply transcript—proceedings that are at least 3 months old:	
(a) per page, or	\$11
(b) if less than 9 pages	\$97

Note. Clause 8 (2) provides that the Registrar may charge a fee of up to \$37 for any other service provided.