



## PARLIAMENTARY COUNSEL

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# *Opinion*

Criminal Procedure Act 1986  
Proposed Criminal Procedure Amendment (Fees) Regulation 2011

Your ref: Nick Sandrejko  
Our ref: FHG s2011-174-d07

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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 read 'D Colagiuri'.

(D COLAGIURI)  
Parliamentary Counsel  
19 July 2011

The Director-General  
Department of Attorney General and Justice



New South Wales

# **Criminal Procedure Amendment (Fees) Regulation 2011**

under the

**Criminal Procedure Act 1986**

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Criminal Procedure Act 1986*.

Attorney General

## **Explanatory note**

The object of this Regulation is to increase certain fees payable in relation to criminal proceedings.

This Regulation is made under the *Criminal Procedure Act 1986*, including sections 4 (the general regulation-making power), 4A (Fees) and 114.

## **Criminal Procedure Amendment (Fees) Regulation 2011**

under the

Criminal Procedure Act 1986

### **1 Name of Regulation**

This Regulation is the *Criminal Procedure Amendment (Fees) Regulation 2011*.

### **2 Commencement**

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

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## Schedule 1      Amendment of Criminal Procedure Regulation 2010

**Schedule 2**

Omit the Schedule. Insert instead:

**Schedule 2      Fees**

(Clauses 10 and 11)

**Part 1      Court fees**

<b>Item</b>	<b>Matter for which fee payable</b>	<b>Fee \$</b>
1	Filing a court attendance notice under Chapter 4 of the <i>Criminal Procedure Act 1986</i> to commence proceedings to which Parts 2–4 of that Chapter apply	81
2	Filing an application under Chapter 4 of the <i>Criminal Procedure Act 1986</i> to commence proceedings to which Part 5 of that Chapter applies, being proceedings in the Land and Environment Court (Class 5 of that Court's jurisdiction)	807
3	Filing an application to the Local Court for annulment of conviction or sentence under Part 2 of the <i>Crimes (Appeal and Review) Act 2001</i>	81
4	Filing a notice of appeal, or an application for leave to appeal, to the District Court under Part 3 of the <i>Crimes (Appeal and Review) Act 2001</i> :	
	(a) in relation to a single offence	100
	(b) in relation to more than 1 offence arising from the same court appearance	154
5	Filing a notice of appeal, or an application for leave to appeal, to the Land and Environment Court under Part 4 of the <i>Crimes (Appeal and Review) Act 2001</i> (Class 6 or 7 of that Court's jurisdiction)	807
6	To issue a certificate of conviction or dismissal	53
7	Retrieving, providing access to and furnishing a copy of any document (otherwise than as provided for by items 8 and 10):	
	(a) for up to 20 pages	11.10
	(b) for each 10 pages (or part thereof) after the first 20 pages	5.50

Criminal Procedure Amendment (Fees) Regulation 2011

Schedule 1 Amendment of Criminal Procedure Regulation 2010

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<b>Item</b>	<b>Matter for which fee payable</b>	<b>Fee \$</b>
8	Retrieving and providing access to, but not furnishing a copy of, any document	Nil
9	Supplying a duplicate recording of sound-recorded evidence—per cassette tape or disc	45.50
10	Copy of any deposition or transcript (unless otherwise provided for under any other Act):	
	(a) for each page, where the matter being transcribed is under 3 months old:	
	(i) for up to 8 pages	79
	(ii) for each page after the first 8 pages	9.70
	(b) for each page, where the matter being transcribed is 3 months old or older:	
	(i) for up to 8 pages	97
	(ii) for each page after the first 8 pages	11

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**Part 2 Sheriff's fees**

<b>Item</b>	<b>Matter for which fee payable</b>	<b>Fee \$</b>
1	For attending a view by a jury in criminal proceedings	159

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