



New South Wales

PARLIAMENTARY COUNSEL

Opinion

Dust Diseases Tribunal Act 1989
Proposed Dust Diseases Tribunal Amendment (Fees) Regulation 2011

Your ref: Nick Sandrejko
Our ref: FHG s2011-175-d07

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

Dust Diseases Tribunal Amendment (Fees) Regulation 2011

under the

Dust Diseases Tribunal Act 1989

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Dust Diseases Tribunal Act 1989*.

Attorney General

Explanatory note

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

This Regulation is made under the *Dust Diseases Tribunal Act 1989*, including section 34 (Regulations: Tribunal fees).

Dust Diseases Tribunal Amendment (Fees) Regulation 2011

under the

Dust Diseases Tribunal Act 1989

1 Name of Regulation

This Regulation is the *Dust Diseases 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 Dust Diseases Tribunal Regulation 2007

Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Fees

(Clause 4)

Item	Column 1 Matter for which fee payable	Column 2 Standard fee	Column 3 Corporation fee
1	Filing an initiating process	\$180	\$360
2	Filing a cross-claim	\$180	\$360
3	Filing a request for a first directions hearing (for a claim or cross-claim)	\$700	\$1,400
4	Filing a notice of motion	\$180	\$360
5	Opening or keeping open the registry or part of the registry:		
	(a) on a Saturday, Sunday or public holiday	\$620	\$1,240
	(b) on any other day:		
	(i) before 8.30 am or after 4.30 pm	\$620	\$1,240
	(ii) between 8.30 and 9 am or 4 and 4.30 pm	\$64	\$128
6	Furnishing a copy of the written opinion or reasons for opinion of any member of the Tribunal:		
	(a) for a printed copy	\$61	—
	(b) for any other kind of copy	\$37	—

Note. A party to proceedings before the Tribunal is entitled to one copy of the opinion or reasons for opinion in relation to the proceedings without charge.

Dust Diseases Tribunal Amendment (Fees) Regulation 2011

Schedule 1 Amendment of Dust Diseases Tribunal Regulation 2007

Item	Column 1 Matter for which fee payable	Column 2 Standard fee	Column 3 Corporation fee
7	Making a copy of any document, otherwise than as provided for by item 6:		
	(a) for up to 5 pages	\$10.80	—
	(b) for each page over 5 pages	\$2.30	—
8	Supplying a duplicate tape recording of sound-recorded evidence, for each cassette	\$45.50	—
9	Supplying a copy of a transcript of any proceedings:		
	(a) for each page, where the matter being transcribed is less than 3 months old:		
	(i) for up to 8 pages	\$75.90	—
	(ii) for each page over 8 pages	\$9.70	—
	(b) for each page, where the matter being transcribed is 3 or more months old:		
	(i) for up to 8 pages	\$92.60	—
	(ii) for each page over 8 pages	\$11	—
10	Issuing a subpoena for production	\$70	\$140
11	Issuing a subpoena to give evidence	\$33	\$66
12	Issuing a subpoena for production and to give evidence	\$70	\$140
13	Receipt by the Registrar of a document or thing produced in compliance with a notice to produce under Part 34 of the <i>Uniform Civil Procedure Rules 2005</i>	\$70	\$140
14	Providing any service for which a fee is not otherwise provided for in this Schedule	\$36	\$72
	Note. This fee is chargeable only with the approval of the Registrar.		