

**SUPREME COURT OF TASMANIA**

**CIRCULAR TO PRACTITIONERS**

**No. 10 of 2021**

**24 June 2021**

**COURT FEES AND ENDORSED COSTS**

The fees payable, and endorsed costs claimable, in Supreme Court proceedings from 1 July 2021 are attached.

The fees prescribed in various rules and regulations applicable to Supreme Court proceedings are set by reference to “fee units” under the *Fee Units Act 1997*. The value of a fee unit has increased to \$1.65 from 1 July 2021.

Attached is a Table of Fees prescribed under the:

- *Supreme Court (Fees) Rules 2017*
- *Supreme Court Rules 2000, Schedules 1 and 3*
- *Legal Profession Regulations 2008*
- *Civil Process (Table of Fees for Execution) Rules 1991*
- *Probate Rules 2017*

The Appeal Costs Fund fee payable on filing a writ commencing an action in the Supreme Court will also increase to \$49.50, in line with the *Fee Units Act 1997*.

Further information on fees and costs can be found on the Supreme Court website at:

<https://www.supremecourt.tas.gov.au/the-court/fees/filing-fees/>

This Circular to Practitioners replaces Circular No 8 of 2020.



J A Connolly  
REGISTRAR

**CIVIL FEES***Supreme Court (Fees) Rules 2017***PART I – PROCEEDINGS**

	<b>Item</b>	<b>Fee Units</b>	<b>\$</b>	<b>\$ Writs (Incl. ACF fee of \$49.50)</b>
1.	On the commencement of a cause or matter (other than proceedings referred to in items 2 or 3) –			
	(a) if the plaintiff or applicant is an individual	580	<b>957.00</b>	<b>1006.50</b>
	(b) if the plaintiff or applicant is a small corporation	580	<b>957.00</b>	<b>1006.50</b>
	(c) if the plaintiff or applicant is a medium corporation	1 290	<b>2128.50</b>	<b>2178.00</b>
	(d) if the plaintiff or applicant is a large corporation	1 935	<b>3192.75</b>	<b>3242.25</b>
2.	On commencement of proceedings for admission to the legal profession	277	<b>457.05</b>	
3.	On the filing of an application seeking relief under section 146 of the <i>Land Titles Act 1980</i>	580	<b>957.00</b>	
4.	On the filing of an interlocutory application for injunctive relief or a freezing order –			
	(a) if the applicant is an individual	168	<b>277.20</b>	
	(b) if the applicant is a corporation	271	<b>447.15</b>	
5.	On the issuing of a subpoena –			
	(a) if the applicant is an individual	38	<b>62.70</b>	
	(b) if the applicant is a small corporation	38	<b>62.70</b>	
	(c) if the applicant is a medium corporation	45	<b>74.25</b>	
	(d) if the applicant is a large corporation	51	<b>84.15</b>	
6.	On the filing of a bill for taxation	161	<b>265.65</b>	
7.	On the taxation of a bill of costs	4% of the amount taxed, or such lesser amount as the taxing officer, in the officer's discretion, allows.		

	<b>Item</b>	<b>Fee Units</b>	<b>\$</b>
8.	On filing a notice instituting an appeal from any order or judgment of the Court or any judge of the Court, or from the Associate Judge to the Full Court –		
	(a) if the appellant or applicant is an individual	580	<b>957.00</b>
	(b) if the appellant or applicant is a small corporation	580	<b>957.00</b>
	(c) if the appellant or applicant is a medium corporation	1 290	<b>2128.50</b>
	(d) if the appellant or applicant is a large corporation	1 935	<b>3192.75</b>
9.	On filing a notice instituting an appeal from an inferior court, statutory tribunal or referee –		
	(a) if the appellant or applicant is an individual	580	<b>957.00</b>
	(b) if the appellant or applicant is a small corporation	580	<b>957.00</b>
	(c) if the appellant or applicant is a medium corporation	1 290	<b>2128.50</b>
	(d) if the appellant or applicant is a large corporation	1 935	<b>3192.75</b>
10.	On filing a writ of execution in respect of -		
	(a) a debt not exceeding \$20 000	64	<b>105.60</b>
	(b) a debt exceeding \$20 000	129	<b>212.85</b>
11.	On the appointment of a mediator who is an employee of, or otherwise engaged by, the Supreme Court	483	<b>796.95</b>

## **PART 2 – ADMINISTRATION**

1.	Transcripts		
	(a) for the initial copy, supplied to a party, of a transcript that is required to be transcribed	5 per page	<b>8.25 per page</b>
	(b) for a copy of a transcript that has already been transcribed	2 per page	<b>3.30 per page</b>
2.	For each search or inspection of an index, file, register or document, relating to a cause or matter, made by a person who is not a party to that cause or matter or a practitioner for that party	26	<b>42.90</b>
3.	For a copy of a document	1 per page	<b>1.65</b>
4.	Additional fee for a request for registry services that results in a registry staying open after the usual close of business for that registry	290	<b>478.50</b>

**ENDORSED COSTS AND FEES**

**(a) ON WRITS**

The calculation of fees payable and costs claimable on writs for liquidated demands exceeding \$50,000 filed on or after 1 July 2021 is as follows:

	<b>Individual &amp; Small Corporation \$</b>	<b>Medium Corporation \$</b>	<b>Large Corporation \$</b>
Filing fee payable on writ for service within and outside jurisdiction	<b>1006.50</b>	<b>2178.00</b>	<b>3242.25</b>
Fees and Costs to be endorsed on writ <b>within</b> jurisdiction	<b>1293.50</b>	<b>2465.00</b>	<b>3529.25</b>
Fees and Costs to be endorsed on writ <b>outside</b> jurisdiction	<b>1389.50</b>	<b>2561.00</b>	<b>3625.25</b>
Total fees and costs on signing judgment served <b>within</b> jurisdiction	<b>1368.50</b>	<b>2540.00</b>	<b>3604.25</b>
Total fees and costs on signing judgment served <b>outside</b> jurisdiction	<b>1464.50</b>	<b>2636.00</b>	<b>3700.25</b>

**(b) ON GARNISHEES AND JUDGMENT SUMMONSES**

*(Supreme Court Rules 2000 Schedule 1, Part 4)*

	<b>Individual &amp; Small Corporation \$</b>	<b>Medium Corporation \$</b>	<b>Large Corporation \$</b>
In respect of a debt not exceeding \$50,000	<b>146.00</b>	<b>146.00</b>	<b>146.00</b>
In respect of a debt exceeding \$50,000	<b>217.00</b>	<b>217.00</b>	<b>217.00</b>

**(c) ON WRITS OF EXECUTION**

*(Supreme Court Rules 2000 Schedule 3)*

	<b>Individual &amp; Small Corporation \$</b>	<b>Medium Corporation \$</b>	<b>Large Corporation \$</b>
Where the amount of the debt does not exceed \$50,000	<b>72.00</b>	<b>72.00</b>	<b>72.00</b>
Where the amount of the debt exceeds \$50,000	<b>104.00</b>	<b>104.00</b>	<b>104.00</b>

**(d) ON APPLICATIONS UNDER SECTION 146 OF THE LAND TITLES ACT 1980**

*(Supreme Court Rules 2000 Schedule 1, Part 5)*

	<b>Individual &amp; Small Corporation \$</b>	<b>Medium Corporation \$</b>	<b>Large Corporation \$</b>
Filing fee on Originating Application	<b>957.00</b>	<b>957.00</b>	<b>957.00</b>
Costs	<b>449.00</b>	<b>449.00</b>	<b>449.00</b>
Total	<b>1406.00</b>	<b>1406.00</b>	<b>1406.00</b>

**COSTS ASSESMENT FEES - LEGAL PROFESSION ACT 2007 s322(1)(c)***Legal Profession Regulations 2008 r.71*

As at 1 July 2021

<b>Range of Costs charged in Bill</b>	<b>Fee Units</b>	<b>Fee in Dollars*</b>
\$1 to \$20,000	200	330.00
> \$20,000 to \$50,000	300	495.00
> \$50,000 to \$100,000	400	660.00
> \$100,000	500	825.00

**SHERIFF'S FEES***Civil Process (Table of Fees for Execution) Rules 1991*

Item:	\$
1. For each warrant issued by the Sheriff or any deputy of the Sheriff	
(a) in respect of debts not exceeding \$20,000.00;	100.00
(b) in respect of debts exceeding \$20,000.00.	200.00
2. Travelling expenses necessarily incurred by the Sheriff in connection with the execution of civil process -	
(a) using the most usual mode of transport; or	Actual cost
(b) if a motor vehicle is used, for each kilometre.	0.70
3. For each sale by auction:	Actual cost
• 5% on amount realised if it does not exceed \$1,000 and	
• 2.5% on all sums exceeding that amount.	
4. For each person necessarily employed to assist with any execution or sale.	Actual Cost
5. For service of each document in connection with the execution of civil process.	55.00
6. For other necessary expenses of the Sheriff or any officer of the Sheriff in connection with the execution of civil process.	Actual cost
7. For a levy or seizure by the Sheriff	
(a) in respect of a debt not exceeding \$20,000.00	310.00
(b) in respect of a debt exceeding \$20,000.00	620.00
(c) in respect of a writ of execution that is otherwise than in respect of a debt	620.00

## PROBATE FEES

*Probate Rules 2017 Schedule 1*

As at 1 July 2021

Item	Detail	Fee Units	\$
Provisional assessment of application documentation by Registrar		96	<b>158.40</b>
For assessment of draft citation document by Registrar		96	<b>158.40</b>
For a requisition		32	<b>52.80</b>
For granting probate or letters of administration or for resealing a foreign grant	(a) if the gross value of the estate in Tasmania as stated in the short form inventory is less than \$50,000	280	<b>462.00</b>
For granting probate or letters of administration or for resealing a foreign grant	(b) if that gross value is equal to or greater than \$50,000 but less than \$250,000	506	<b>834.90</b>
For granting probate or letters of administration or for resealing a foreign grant	(c) if that gross value is equal to or greater than \$250,000 but less than \$500,000	548	<b>904.20</b>
For granting probate or letters of administration or for resealing a foreign grant	(d) if that gross value is equal to or greater than \$500,000 but is less than \$1,000,000	690	<b>1138.50</b>
For granting probate or letters of administration or for resealing a foreign grant	(e) if that gross value is equal to or greater than \$1,000,000 but is less than \$2,000,000	874	<b>1442.10</b>
For granting probate or letters of administration or for resealing a foreign grant	(f) if that gross value is equal to or greater than \$2,000,000 but is less than \$5,000,000	993	<b>1638.45</b>
For granting probate or letters of administration or for resealing a foreign grant	(g) if that gross value is equal to or greater than \$5,000,000	1193	<b>1968.45</b>
For filing an election to administer an estate		77	<b>127.05</b>
For search of a document		19	<b>31.35</b>
For exemplification		174	<b>287.10</b>
For office copy of a document - per page or part of page		0.64	<b>1.06</b>
For preparation and certification of a certified copies of documents		32	<b>52.80</b>
For lodging a caveat		32	<b>52.80</b>
For correcting a grant where the source of the error was not the Registry		32	<b>52.80</b>

