

SUPREME COURT OF TASMANIA

CIRCULAR TO PRACTITIONERS

No. 8 of 2022

24 June 2022

COURT FEES AND ENDORSED COSTS

The fees payable, and endorsed costs claimable, in Supreme Court proceedings from 1 July 2022 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 \$1.70 from 1 July 2022.

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 \$51.00, 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 10 of 2021.



J A Connolly
REGISTRAR

CIVIL FEES

Supreme Court (Fees) Rules 2017, Schedule 1

As at 1 July 2022

PART I – PROCEEDINGS

	Item	Fee Units (1 = \$1.70)	\$	\$ Writs (Incl. ACF fee of \$51.00)
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	986.00	1037.00
	(b) if the plaintiff or applicant is a small corporation	580	986.00	1037.00
	(c) if the plaintiff or applicant is a medium corporation	1 290	2193.00	2244.00
	(d) if the plaintiff or applicant is a large corporation	1 935	3289.50	3340.50
2.	On commencement of proceedings for admission to the legal profession	277	470.90	
3.	On the filing of an application seeking relief under section 146 of the <i>Land Titles Act 1980</i>	580	986.00	
4.	On the filing of an interlocutory application for injunctive relief or a freezing order –			
	(a) if the applicant is an individual	168	285.60	
	(b) if the applicant is a corporation	271	460.70	
5.	On the issuing of a subpoena –			
	(a) if the applicant is an individual	38	64.60	
	(b) if the applicant is a small corporation	38	64.60	
	(c) if the applicant is a medium corporation	45	76.50	
	(d) if the applicant is a large corporation	51	86.70	
6.	On the filing of a bill for taxation	161	273.70	
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.		

	Item	Fee Units	\$
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	986.00
	(b) if the appellant or applicant is a small corporation	580	986.00
	(c) if the appellant or applicant is a medium corporation	1 290	2193.00
	(d) if the appellant or applicant is a large corporation	1 935	3289.50
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	986.00
	(b) if the appellant or applicant is a small corporation	580	986.00
	(c) if the appellant or applicant is a medium corporation	1 290	2193.00
	(d) if the appellant or applicant is a large corporation	1 935	3289.50
10.	On filing a writ of execution in respect of -		
	(a) a debt not exceeding \$20 000	64	108.80
	(b) a debt exceeding \$20 000	129	219.30
11.	On the appointment of a mediator who is an employee of, or otherwise engaged by, the Supreme Court	483	821.10

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	8.50 per page
	(b) for a copy of a transcript that has already been transcribed	2 per page	3.40 per page
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	44.20
3.	For a copy of a document	1 per page	1.70
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	493.00

ENDORSED COSTS AND FEES – As at 1 July 2022

(a) ON WRITS

(Supreme Court Rules 2000 r.347 – Schedule 1, Part 3)

The calculation of fees payable and costs claimable on writs for liquidated demands exceeding \$50,000 filed on or after 1 July 2022 is as follows:

	Individual & Small Corporation \$	Medium Corporation \$	Large Corporation \$
Filing fee payable on writ for service within or outside jurisdiction	1037.00	2244.00	3340.50
Fees and Costs to be endorsed on writ within jurisdiction	1324.00	2531.00	3627.50
Fees and Costs to be endorsed on writ outside jurisdiction	1420.00	2627.00	3723.50
Total fees and costs on signing judgment served within jurisdiction	1399.00	2606.00	3702.50
Total fees and costs on signing judgment served outside jurisdiction	1495.00	2702.00	3798.50

(b) ON GARNISHEES AND JUDGMENT SUMMONSES

(Supreme Court Rules 2000 Schedule 1, Part 4)

	Individual & Small Corporation \$	Medium Corporation \$	Large Corporation \$
In respect of a debt not exceeding \$50,000	146.00	146.00	146.00
In respect of a debt exceeding \$50,000	217.00	217.00	217.00

(c) ON WRITS OF EXECUTION

(Supreme Court Rules 2000 Schedule 3)

	Individual & Small Corporation \$	Medium Corporation \$	Large Corporation \$
Where the amount of the debt does not exceed \$50,000	72.00	72.00	72.00
Where the amount of the debt exceeds \$50,000	104.00	104.00	104.00

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

(Supreme Court Rules 2000 Schedule 1, Part 5)

	Individual & Small Corporation \$	Medium Corporation \$	Large Corporation \$
Filing fee on Originating Application	986.00	986.00	986.00
Costs	449.00	449.00	449.00
Total	1435.00	1435.00	1435.00

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

As at 1 July 2022

Range of Costs charged in Bill	Fee Units	Fee in Dollars
\$1 to \$20,000	200	340.00
> \$20,000 to \$50,000	300	510.00
> \$50,000 to \$100,000	400	680.00
> \$100,000	500	850.00

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

As at 1 July 2022

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 2022

Item	Detail	Fee Units	\$
Provisional assessment of application documentation by Registrar		96	163.20
For assessment of draft citation document by Registrar		96	163.20
For a requisition		32	54.40
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 affidavit is less than \$50,000	280	476.00
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	860.20
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	931.60
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	1173.00
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	1485.80
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	1688.10
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	2028.10
For filing an election to administer an estate		77	130.90
For search of a document		19	32.30
For exemplification		174	295.80
For office copy of a document - per page or part of page		0.64	1.09
For preparation and certification of certified copies of documents		32	54.40
For lodging a caveat		32	54.40
For correcting a grant where the source of the error was not the Registry		32	54.40