

SUPREME COURT OF TASMANIA

CIRCULAR TO PRACTITIONERS

No. 7 of 2023

26 June 2023

COURT FEES AND ENDORSED COSTS

The fees payable, and endorsed costs claimable, in Supreme Court proceedings from 1 July 2023 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 \$1.78 from 1 July 2023.

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 2018*
- *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 \$53.40, 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 2022.



P J Ikedife
REGISTRAR

CIVIL FEES

Supreme Court (Fees) Rules 2017, Schedule 1

As at 1 July 2023

PART I – PROCEEDINGS

	Item	Fee Units (1 = \$1.78)	\$	\$ Writs (Incl. ACF fee of \$53.40)
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	1032.40	1085.80
	(b) if the plaintiff or applicant is a small corporation	580	1032.40	1085.80
	(c) if the plaintiff or applicant is a medium corporation	1 290	2296.20	2349.60
	(d) if the plaintiff or applicant is a large corporation	1 935	3444.30	3497.70
1A	On the filing of originating process in representative proceedings	1 935	3444.30	3497.70
2.	On commencement of proceedings for admission to the legal profession	277	493.06	
3.	On the filing of an application seeking relief under section 146 of the <i>Land Titles Act 1980</i>	580	1032.40	
4.	On the filing of an interlocutory application for injunctive relief or a freezing order –			
	(a) if the applicant is an individual	168	299.04	
	(b) if the applicant is a corporation	271	482.38	
5.	On the issuing of a subpoena –			
	(a) if the applicant is an individual	38	67.64	
	(b) if the applicant is a small corporation	38	67.64	
	(c) if the applicant is a medium corporation	45	80.10	
	(d) if the applicant is a large corporation	51	90.78	
6.	On the filing of a bill for taxation	161	286.58	
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	1032.40
	(b) if the appellant or applicant is a small corporation	580	1032.40
	(c) if the appellant or applicant is a medium corporation	1 290	2296.20
	(d) if the appellant or applicant is a large corporation	1 935	3444.30
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	1032.40
	(b) if the appellant or applicant is a small corporation	580	1032.40
	(c) if the appellant or applicant is a medium corporation	1 290	2296.20
	(d) if the appellant or applicant is a large corporation	1 935	3444.30
10.	On filing a writ of execution in respect of -		
	(a) a debt not exceeding \$20 000	64	113.92
	(b) a debt exceeding \$20 000	129	229.62
11.	On the appointment of a mediator who is an employee of, or otherwise engaged by, the Supreme Court	483	859.74

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	8.90 per page
	(b) for a copy of a transcript that has already been transcribed	2 per page	3.56 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	46.28
3.	For a copy of a document	1 per page	1.78
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	516.20

ENDORSED COSTS AND FEES – As at 1 July 2023

(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 2023 is as follows:

	Individual & Small Corporation \$	Medium Corporation \$	Large Corporation \$
Filing fee payable on writ for service within or outside jurisdiction	1085.80	2349.60	3497.70
Fees and Costs to be endorsed on writ within jurisdiction	1394.80	2658.60	3806.70
Fees and Costs to be endorsed on writ outside jurisdiction	1497.80	2761.60	3909.70
Total fees and costs on signing judgment served within jurisdiction	1475.60	2739.40	3887.50
Total fees and costs on signing judgment served outside jurisdiction	1578.60	2842.40	3990.50

(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	157.00	157.00	157.00
In respect of a debt exceeding \$50,000	234.00	234.00	234.00

(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	77.50	77.50	77.50
Where the amount of the debt exceeds \$50,000	112.00	112.00	112.00

(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	1032.40	1032.40	1032.40
Costs	484.00	484.00	484.00
Total	1516.40	1516.40	1516.40

COSTS ASSESSMENT FEES - LEGAL PROFESSION ACT 2007 s322(1)(c)*Legal Profession Regulations 2018 r.72*

As at 1 July 2023

Range of Costs charged in Bill	Fee Units	Fee in Dollars
\$1 to \$20,000	200	356.00
> \$20,000 to \$50,000	300	534.00
> \$50,000 to \$100,000	400	712.00
> \$100,000	500	890.00

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

As at 1 July 2023

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 2023

Item	Detail	Fee Units	\$
Provisional assessment of application documentation by Registrar		96	170.88
For assessment of draft citation document by Registrar		96	170.88
For a requisition		32	56.96
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	498.40
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	900.68
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	975.44
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	1228.20
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	1555.72
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	1767.54
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	2123.54
For filing an election to administer an estate		77	137.06
For search of a document		19	33.82
For exemplification		174	309.72
For office copy of a document - per page or part of page		0.64	1.14
For preparation and certification of certified copies of documents		32	56.96
For lodging a caveat		32	56.96
For correcting a grant where the source of the error was not the Registry		32	56.96