



Western Australia

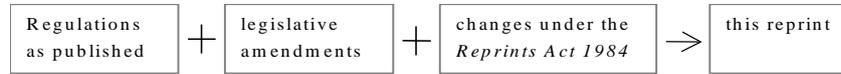
Evidence Act 1906

**Evidence (Video and Audio  
Links Fees and Expenses)  
Regulations 1999**

**Reprint 3: The regulations as at 14 February 2014**

## Guide for using this reprint

### *What the reprint includes*



### *Endnotes, Compilation table, and Table of provisions that have not come into operation*

1. Details about the original regulations and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Transitional, savings, modifying or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the regulations being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

### *Notes amongst text (italicised and within square brackets)*

1. If the reprint includes a regulation that was inserted, or has been amended, since the regulations being reprinted were made, editorial notes at the foot of the regulation give some history of how the regulation came to be as it is. If the regulation replaced an earlier regulation, no history of the earlier regulation is given (the full history of the regulations is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
  - removed (because it was repealed or deleted from the law); or
  - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

### *Reprint numbering and date*

1. The reprint number (in the footer of each page of the document) shows how many times the regulations have been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3<sup>rd</sup> reprint since the regulations were published. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the regulations are reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Western Australia

## **Evidence (Video and Audio Links Fees and Expenses) Regulations 1999**

### **Contents**

1.	Citation	1
2.	Booking fee	1
3.	Hourly fee	2
4.	Telecommunications charges	2
5.	Fees and expenses to be recoverable as debts due to the Crown	2
6.	Court may waive fees and expenses in a particular case	2
	<b>Schedule 1 — Fees</b>	
1.	Booking fee	3
2.	Hourly fee	3
	<b>Notes</b>	
	Compilation table	4





Reprinted under the  
*Reprints Act 1984* as  
at 14 February 2014

Western Australia

Evidence Act 1906

## **Evidence (Video and Audio Links Fees and Expenses) Regulations 1999**

### **1. Citation**

These regulations may be cited as the *Evidence (Video and Audio Links Fees and Expenses) Regulations 1999*<sup>1</sup>.

### **2. Booking fee**

- (1) Except as provided in subregulation (2), if, on an application by a party to a civil proceeding in or before a court, the court directs —

- (a) that the evidence of a witness called by the party be taken by a video link; or
- (b) that a submission on behalf of the party be received by a video link,

the party must pay to the court the relevant fee specified in item 1 of Schedule 1 to book that link.

- (2) If the same video link can be used by more than one party making an application, each of those parties must pay to the court an equal portion of the fee concerned.

*[Regulation 2 amended in Gazette 9 Mar 2012 p. 931-2.]*

**3. Hourly fee**

A party must, within 30 days after the use of a video link, pay to the court the fee specified in item 2 of Schedule 1 for each hour, or part of an hour, that the link was used —

- (a) to take the evidence of a witness called by the party; or
- (b) to receive a submission on behalf of the party.

*[Regulation 3 amended in Gazette 9 Mar 2012 p. 932.]*

**4. Telecommunications charges**

A party must, within 30 days after the use of a video link or audio link, pay to the court the expense of the telecommunications charges incurred by the court —

- (a) in taking the evidence of a witness called by the party;  
or
- (b) in receiving a submission on behalf of the party.

**5. Fees and expenses to be recoverable as debts due to the Crown**

A fee or expense payable under these regulations is a debt due to the Crown and is recoverable in a court of competent jurisdiction.

**6. Court may waive fees and expenses in a particular case**

A court may, in a particular case, waive a fee or expense payable under these regulations.

**Schedule 1 — Fees**

[r. 2 and 3]

*[Heading inserted in Gazette 15 Nov 2013 p. 5256.]*

**1. Booking fee**

- |                                      |          |
|--------------------------------------|----------|
| (1) Intrastate link .....            | \$84.50  |
| (2) Interstate or overseas link..... | \$125.50 |

*[Item 1 inserted in Gazette 15 Nov 2013 p. 5256.]*

**2. Hourly fee**

- |                                   |         |
|-----------------------------------|---------|
| Per hour or part of an hour ..... | \$66.50 |
|-----------------------------------|---------|

*[Item 2 inserted in Gazette 15 Nov 2013 p. 5256.]*



**Notes**

<sup>1</sup> This reprint is a compilation as at 14 February 2014 of the *Evidence (Video and Audio Links Fees and Expenses) Regulations 1999* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

**Compilation table**

<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<i>Evidence (Video and Audio Links Fees and Expenses) Regulations 1999</i>	7 Dec 1999 p. 5995-6	7 Dec 1999
<i>Evidence (Video and Audio Links Fees and Expenses) Amendment Regulations 2003</i>	30 Dec 2003 p. 5718	1 Jan 2004 (see r. 2)
<b>Reprint 1: The Evidence (Video and Audio Links Fees and Expenses) Regulations 1999 as at 6 Aug 2004</b> (includes amendments listed above)		
<i>Evidence (Video and Audio Links Fees and Expenses) Amendment Regulations 2005</i>	23 Jun 2005 p. 2689	1 Jul 2005 (see r. 2)
<i>Evidence (Video and Audio Links Fees and Expenses) Amendment Regulations 2006</i>	23 Jun 2006 p. 2190	1 Jul 2006 (see r. 2)
<i>Evidence (Video and Audio Links Fees and Expenses) Amendment Regulations 2007</i>	26 Jun 2007 p. 3030-1	r. 1 and 2: 26 Jun 2007 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2007 (see r. 2(b))
<i>Evidence (Video and Audio Links Fees and Expenses) Amendment Regulations 2008</i>	27 Jun 2008 p. 3072-3	r. 1 and 2: 27 Jun 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2008 (see r. 2(b))
<b>Reprint 2: The Evidence (Video and Audio Links Fees and Expenses) Regulations 1999 as at 7 Nov 2008</b> (includes amendments listed above)		
<i>Evidence (Video and Audio Links Fees and Expenses) Amendment Regulations 2009</i>	4 Sep 2009 p. 3494	r. 1 and 2: 4 Sep 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 5 Sep 2009 (see r. 2(b))
<i>Evidence (Video and Audio Links Fees and Expenses) Amendment Regulations 2011</i>	8 Mar 2011 p. 798-9	r. 1 and 2: 8 Mar 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 9 Mar 2011 (see r. 2(b))

## **Evidence (Video and Audio Links Fees and Expenses) Regulations 1999**

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<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<i>Evidence (Video and Audio Links Fees and Expenses) Amendment Regulations (No. 2) 2011</i>	20 Dec 2011 p. 5395-6	r. 1 and 2: 20 Dec 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 21 Dec 2011 (see r. 2(b))
<i>Evidence (Video and Audio Links Fees and Expenses) Amendment Regulations 2012</i>	9 Mar 2012 p. 931-2	r. 1 and 2: 9 Mar 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 10 Mar 2012 (see r. 2(b))
<i>Evidence (Video and Audio Links Fees and Expenses) Amendment Regulations (No. 2) 2012</i>	30 Nov 2012 p. 5800	r. 1 and 2: 30 Nov 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Dec 2012 (see r. 2(b))
<i>Evidence (Video and Audio Links Fees and Expenses) Amendment Regulations 2013</i>	15 Nov 2013 p. 5256	r. 1 and 2: 15 Nov 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 16 Nov 2013 (see r. 2(b))
<b>Reprint 3: The Evidence (Video and Audio Links Fees and Expenses) Regulations 1999 as at 14 Feb 2014</b> (includes amendments listed above)		

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