



Western Australia

District Court of Western Australia Act 1969

**District Court (Fees) Amendment Regulations  
(No. 2) 2024**



Western Australia

# District Court (Fees) Amendment Regulations (No. 2) 2024

## Contents

1.	Citation	1
2.	Commencement	1
3.	Regulations amended	1
4.	Regulation 6 amended	1
5.	Regulation 9 amended	2
6.	Regulation 10 replaced	3
	10. Schedule 1 item 8 fee	3
7.	Schedule 1 amended	3
8.	Schedule 3 amended	3



## **District Court (Fees) Amendment Regulations (No. 2) 2024**

Made by the Governor in Executive Council.

### **1. Citation**

These regulations are the *District Court (Fees) Amendment Regulations (No. 2) 2024*.

### **2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published on the WA legislation website;
- (b) the rest of the regulations — on the day after that day.

### **3. Regulations amended**

These regulations amend the *District Court (Fees) Regulations 2002*.

### **4. Regulation 6 amended**

After regulation 6(2) insert:

- (3) A person may apply for the Court or a registrar to make a direction under subregulation (2).
- (4) An application under subregulation (3) must be in the form of Schedule 3 Form 2.

- (5) Despite anything else in these regulations, a fee must not be charged in respect of an application under subregulation (3).

**5. Regulation 9 amended**

Delete regulation 9(8) and (9) and insert:

- (7A) If the hearing is vacated and relisted, any fee paid in respect of the dates for the hearing must be transferred to the relisted dates.
- (8) If the hearing is vacated before the first date allocated for the hearing and it is not relisted, the following percentage of the fee paid must be refunded —
  - (a) if the Court or registrar is satisfied the reason for the vacation is beyond the control of the parties, 100%;
  - (b) otherwise, if the vacation occurs —
    - (i) 42 days or more before the first date allocated for the hearing, 75%; or
    - (ii) 28 days or more before that date, 50%.
- (9) If the hearing is vacated after it has commenced and it is not relisted, and the Court or registrar is satisfied the reason for the vacation is beyond the control of the parties, the fee paid in respect of dates after the date of the vacation must be refunded.

**6. Regulation 10 replaced**

Delete regulation 10 and insert:

**10. Schedule 1 item 8 fee**

If a fee is to be paid under Schedule 1 item 8, the hearing must not be reconvened until that fee has been paid.

**7. Schedule 1 amended**

In Schedule 1 item 5 in note 3 delete “or waived”.

**8. Schedule 3 amended**

(1) Delete the reference after the heading to Schedule 3 and insert:

[r. 4A(1), 5A(1), 6(4) and 8(2)]

(2) In Schedule 3 Form 2:

(a) delete “to reduce fee” and insert:

**for the purposes of reducing or deferring a fee**

(b) after:

**Defendant/Respondent\*:**

(\*strike out word that is not applicable)

**r. 8**

---

insert:

<b>Please indicate if your application relates to*:</b>	
(*select 1 or both)	
<input type="checkbox"/> Reducing a fee	<input type="checkbox"/> Deferring a fee

(c) delete “request” (1<sup>st</sup> occurrence) and insert:

application

(d) delete “No:” (each occurrence) and insert:

Number:

(e) delete “request” (2<sup>nd</sup> occurrence) and insert:

application

(f) delete “FINANCIAL DETAIL:” and insert:

**FINANCIAL DETAILS:**

**K. COLLERAN, Clerk of the Executive Council**