

[3881]



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JUSTICES ACT 1902.

JUSTICES ACT (COURTS OF PETTY SESSIONS FEES) REGULATIONS.

Published in the *Government Gazette* on 9 April 1957 and now reprinted, pursuant to the Reprinting of Regulations Act 1954, incorporating the amendments thereto published in the *Government Gazette* on

9 September 1965;
27 October 1972;
1 July 1977;
25 November 1977;

30 March 1979;
27 June 1980; and
23 October 1981.

Reprinted pursuant to the Reprinting of Regulations Act 1954 by authority of the Attorney General dated 22 September 1982.

JUSTICES ACT 1902.

**JUSTICES ACT (COURTS OF PETTY SESSIONS FEES)
REGULATIONS.**

1. These regulations may be cited as the Justices Act (Courts of Petty Sessions Fees) Regulations, and shall come into operation on the Thirtieth consecutive day after the date of their publication in the *Government Gazette*.

2. On and after the coming into operation of these regulations the fees prescribed in the First Schedule to these regulations shall be the fees to be taken in Courts of Petty Sessions.

Amended by
G.G. 25/11/77,
p. 4360.

3. (1) Where—

(a) proceedings are instituted or taken

(i) by a member of the police force; or

(ii) by an officer of a State Department on behalf of that department;

(b) a member of the State Crown Law Department acts or appears on behalf of a board or other body;

(ba) proceedings are instituted or taken by a legal practitioner, who is not an officer of the State Public Service, for or on behalf of a board or other body specified in the Second Schedule to these regulations;

(c) the Court, on being satisfied that the complainant is without means and has a *prima facie* case concerning the status or maintenance of a married woman or of a child, endorses the complaint "in forma pauperis"; or

(d) proceedings are instituted or taken—

(i) pursuant to the provisions of Part VIA of the Justices Act 1902; or

(ii) pursuant to the provisions of Part II of the Road Maintenance (Contribution) Act 1965,¹

Amended by
G.G. 25/11/77,
p. 4360;
G.G. 30/3/79,
p. 863.

the appropriate fees so prescribed are payable only upon conviction of and recovery from the defendant.

(2) Subject to the provisions of subregulation (1) of this regulation, no document or step in respect of which a fee is so prescribed shall be accepted or taken in a Court of Petty Sessions unless that fee is paid.

4. On the coming into operation of these regulations the notice prescribing the fees to be taken in Courts of Petty Sessions published in the *Government Gazette* on the 26th August, 1949, shall be cancelled.

¹ Repealed by the Acts Amendment and Repeal (Road Maintenance) Act 1979.

First Schedule.
Substituted by
23/10/81,
pp. 4364-65.

FIRST SCHEDULE.

Fees to be taken in Courts of Petty Sessions.

	\$
1. For every complaint	7.00
2. For every summons to defendant	2.00
3. For every order or conviction drawn up	3.00
4. For every copy of an order or conviction	2.50
5. For every search in the records	2.50
6. For every summons to witness	1.50
7. For service of a summons or order of Court	3.00
8. For a warrant of any kind—	
(a) issue thereof	2.50
(b) execution thereof	8.50
9. Travelling fee on service of a summons or order of Court, or on execution of a warrant—for each kilometre (one way only)	0.30
*10. (1) For copies of documents—	
(a) depositions or a Magistrate's notes of evidence—for each page	1.50
(b) other documents—for each page	0.50
but in either case a minimum fee of \$3.00 is payable.	
(2) For certifying that a document is a true copy—in addition to the fee under subparagraph (1) ..	1.50
11. (1) For an application for the production of records or documents to any court or tribunal (including an umpire or arbitrator)	3.00
(2) Where an officer is required to attend at any court or place out of the court building to produce such records or documents his reasonable expenses and, in addition, for each hour or part of an hour when he is necessarily absent from his office	5.00

* Not payable in cases of indictable offences.

Second
Schedule.
Inserted by
G.G. 25/11/77,
p. 4360.

SECOND SCHEDULE.

Commissioner of Transport.