

JU305*

District Court of Western Australia Act 1969

District Court (Fees) Amendment Regulations 2006

Made by the Governor in Executive Council.

1. Citation

These regulations are the *District Court (Fees) Amendment Regulations 2006*.

2. Commencement

These regulations come into operation on 1 July 2006.

3. The regulations amended

The amendments in these regulations are to the *District Court (Fees) Regulations 2002**.

[* *Published in Gazette 27 December 2001, p. 6617-43.*
For amendments to 25 May 2006 see Western Australian Legislation Information Tables for 2005, Table 4, p. 91-2.]

4. Schedule 1 amended

- (1) Schedule 1 item 4 is deleted.
- (2) After Schedule 1 item 10 note 2 the following note is inserted —

“

NOTE 3:

If the parties agree on the bill of costs in a cause or matter or under the *Commercial Arbitration Act 1985* and the appointment is cancelled, the following percentage of the fee paid is to be refunded —

- (a) if the appointment is cancelled less than 3 days before the day of the appointment, nil;
- (b) if the appointment is cancelled 3 days or more and less than 10 days before the day of the appointment, 50%;
- (c) if the appointment is cancelled 10 or more days before the day of the appointment, 80%.

”.

- (3) Schedule 1 is amended in each item listed in column 1 of the Table to this subregulation by deleting the figure set out in column 2, and inserting instead the figure set out in column 3 opposite that item.

Table

Column 1 Item	Column 2 Delete	Column 3 Insert instead
1, 2(a) and (b), 5	436	454
1, 2(a) and (b), 5	654	681
2(c) and (d)	164	171
2(c) and (d)	218	227
3	54.50	57
3	109	114
6 and 7	382	399
6 and 7	763	798
8 and 10(a)	109	114
8 and 10(a)	164	171
11 (both places)	22	23
11A(b) (both places)	1 000	1 042
12(a) (both places)	33	34
12(b) (both places)	55	57
13(d) (both places)	44	46
14(b) (both places)	10.50	11

5. Schedule 2 amended

- (1) Schedule 2 item 1 and notes 1 and 2 after it are deleted and the following is inserted instead —

“

1. On the execution of an arrest warrant of any kind —
- | | |
|--|-------|
| (a) for arresting the person | 72.50 |
| (b) for conveying the person to a court or a custodial place and releasing the person from arrest or custody | 72.50 |
| (c) for each 30 minutes after 2 hours and 30 minutes that an enforcement officer, as defined in the <i>Civil Judgments Enforcement Act 2004</i> section 3, is required to keep the person in custody until he or she is conveyed to a court or a custodial place | 19.25 |

NOTE 1:

The fee under paragraph (a) is payable whether or not the Sheriff's functions under the warrant are performed and includes up to 3 attempts to perform the functions at the same address.

NOTE 2:

The fee under paragraph (a) includes —

- (a) receipt of the warrant; and
 (b) attendances and inquiries before attempting arrest; and
 (c) giving any notice; and
 (d) making any report.

”

- (2) Schedule 2 is amended in each item listed in column 1 of the Table to this subregulation by deleting the figure set out in column 2, and inserting instead the figure set out in column 3 opposite that item.

Table

Column 1 Item	Column 2 Delete	Column 3 Insert instead
2	37.50	39.50
3(a)	0.95	1.00
3(b)	1.05	1.10
4	36.50	38.50

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.