

# Magistrates' Court General Civil Procedure Rules 2010, SR 149/2011

**ITEM**    Particulars of Service

<b>1</b>	<b><u>Claim for debt, liquidated demand</u></b> or claim arising from a motor vehicle collision for costs of repairs only or for total loss of vehicle only including all professional costs where the amount claimed is-	<b>\$</b>
(a)	<b>Less than \$500</b>	<b>189</b>
(b)	<b>\$500 to less than \$5,000</b>	<b>395</b>
(c)	<b>\$5,000 to less than \$7,500</b>	<b>485</b>
(d)	<b>\$7,500 to less than \$20,000</b>	<b>583</b>
(e)	<b>\$20,000 to less than \$40,000</b>	<b>723</b>
(f)	<b>\$40,000 to less than \$70,000</b>	<b>871</b>
(g)	<b>\$70,000 and over</b>	<b>1041</b>

Particulars of Service

(costs for items 2-80 are set out in Table 1)

**EFFECTIVE 1 JANUARY 2012**

**2012  
SCALE OF COSTS**

*Scale of costs and fees which may be claimed by Australian lawyers and counsel as between party and party as well as between Australian lawyer and client.*

*If in any case the Court or registrar thinks that any item is inadequate or excessive, the Court or registrar may allow a greater or lesser sum than the scale provides.*

*If the scale of costs does not provide for any case, the Court or registrar may allow reasonable costs.*

A	B	C	D	E	F	G
Less than \$500	\$500 to less than \$5,000	\$5,000 to less than \$7,500	\$7,500 to less than \$20,000	\$20,000 to less than \$40,000	\$40,000 to less than \$70,000	\$70,000 and over



		<i>Up to \$500</i>	<i>&gt;500 &lt;5,000</i>	<i>&gt;5,000 &lt;7,500</i>	<i>&gt;7,500 &lt;20,000</i>	<i>20,000&lt; 40,000</i>	<i>40,000&lt; 70,000</i>	<i>70,000+</i>
	<b>Particulars</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>
<b>8</b>	Request for particulars of any document including attendances on counsel, copies, filing, service and perusal of further particulars	<b>66</b>	<b>148</b>	<b>180</b>	<b>217</b>	<b>269</b>	<b>321</b>	<b>381</b>
<b>9</b>	Further and better particulars of any documents including perusal of request, attendances by counsel, copies, filing and service.	<b>60</b>	<b>125</b>	<b>149</b>	<b>180</b>	<b>223</b>	<b>270</b>	<b>323</b>
	<b>View</b>							
<b>10</b>	Attending view, including arranging view and attendance on counsel	<b>n/a</b>	<b>n/a</b>	<b>151</b>	<b>210</b>	<b>227</b>	<b>255</b>	<b>287</b>
<b>11</b>	If the attendance exceeds half an hour - for each quarter hour thereafter.	<b>n/a</b>	<b>n/a</b>	<b>17</b>	<b>43</b>	<b>43</b>	<b>43</b>	<b>43</b>
	<b>Discovery</b>							
<b>12</b>	Notice of discovery including filing and service.	<b>43</b>	<b>70</b>	<b>88</b>	<b>103</b>	<b>131</b>	<b>153</b>	<b>177</b>
<b>13</b>	Perusal of affidavit of documents and inspection of documents.	<b>53</b>	<b>100</b>	<b>118</b>	<b>147</b>	<b>183</b>	<b>219</b>	<b>257</b>
<b>14</b>	Affidavit of documents including instructions, attendances on counsel, copies, swearing, filing, service and production of documents for inspection.	<b>103</b>	<b>221</b>	<b>270</b>	<b>323</b>	<b>408</b>	<b>482</b>	<b>572</b>
<b>15</b>	Notice to produce documents including filing and service.	<b>43</b>	<b>66</b>	<b>88</b>	<b>103</b>	<b>131</b>	<b>153</b>	<b>177</b>

		<i>Up to \$500</i>	<i>&gt;500 &lt;5,000</i>	<i>&gt;5,000 &lt;7,500</i>	<i>&gt;7,500 &lt;20,000</i>	<i>20,000&lt; 40,000</i>	<i>40,000&lt; 70,000</i>	<i>70,000+</i>
		<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>
	<b><u>Interrogatories</u></b>							
<b>16</b>	Interrogatories for examination including instructions, attendances on counsel, copies, filing, service and perusal of answers.	<b>86</b>	<b>176</b>	<b>214</b>	<b>255</b>	<b>320</b>	<b>380</b>	<b>441</b>
<b>17</b>	Answers to interrogatories including perusal of interrogatories instructions, attendances on counsel, copies, swearing and service.	<b>113</b>	<b>241</b>	<b>306</b>	<b>368</b>	<b>455</b>	<b>548</b>	<b>649</b>
	<b><u>Brief to advise</u></b>							
<b>18</b>	Brief to advise including preparation of memorandum to counsel attendances on counsel and perusal of advice.	<b>n/a</b>	<b>n/a</b>	<b>151</b>	<b>210</b>	<b>227</b>	<b>255</b>	<b>286</b>
	<b><u>Notices, undertakings, etc.</u></b>							
<b>19</b>	Any necessary notice (including notices before proceeding), certificate (including certificates before proceeding), undertaking, consent, order, memorandum (not otherwise provided for) including copies, filing and service.	<b>42</b>	<b>75</b>	<b>89</b>	<b>105</b>	<b>132</b>	<b>154</b>	<b>186</b>
<b>20</b>	Notice to admit including perusal of admissions, copies, filing and service.	<b>113</b>	<b>113</b>	<b>113</b>	<b>154</b>	<b>195</b>	<b>235</b>	<b>281</b>
<b>21</b>	Admissions, including perusal of notice to admit, copies, filing and service.	<b>113</b>	<b>113</b>	<b>113</b>	<b>154</b>	<b>195</b>	<b>236</b>	<b>281</b>
<b>22</b>	Offer of compromise or notice of acceptance of offer including copies, filing and service.	<b>98</b>	<b>98</b>	<b>98</b>	<b>144</b>	<b>180</b>	<b>217</b>	<b>257</b>



	<i>Up to \$500</i>	<i>&gt;500 &lt;5,000</i>	<i>&gt;5,000 &lt;7,500</i>	<i>&gt;7,500 &lt;20,000</i>	<i>20,000&lt; 40,000</i>	<i>40,000&lt; 70,000</i>	<i>70,000+</i>
	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>
<b>31</b>	<b><u>Affidavits</u></b>						
	Affidavits including attendances on counsel, copies, swearing, filing and service.						
	<b>86</b>	<b>176</b>	<b>214</b>	<b>255</b>	<b>320</b>	<b>378</b>	<b>440</b>
<b>32</b>	Affidavit of service, including swearing and filing (not otherwise provided for).						
	<b>36</b>	<b>36</b>	<b>36</b>	<b>36</b>	<b>36</b>	<b>36</b>	<b>36</b>
<b>33</b>	<b><u>General Preparation</u></b>						
	For work necessarily and properly done in preparing for hearing and not otherwise provided for, including-						
	(a) taking instructions for examination of any party or witness;						
	(b) considering the facts and the law						
	(c) attending on and corresponding with client						
	(d) interviewing and corresponding with witnesses and taking proofs of their evidence.						
	(e) obtaining reports or advice from experts and maps, plans, photographs and models;						
	(f) making search in any public office and elsewhere for relevant documents;						
	(g) inspecting any property or place material to the proceeding;						
	(h) perusing relevant documents;						
	(i) general care and conduct on the proceeding						
	<b>343</b>	<b>1122</b>	<b>1384</b>	<b>1663</b>	<b>2078</b>	<b>3004</b>	<b>4671</b>

		<i>Up to \$500</i>	<i>&gt;500 &lt;5,000</i>	<i>&gt;5,000 &lt;7,500</i>	<i>&gt;7,500 &lt;20,000</i>	<i>20,000&lt; 40,000</i>	<i>40,000&lt; 70,000</i>	<i>70,000+</i>
		<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>
<b><u>Pre-hearing Conference</u></b>								
<b>34</b>	Preparation including all necessary instructions, instructions for brief for counsel or brief notes for Australian lawyer, correspondence and perusals.	<b>84</b>	<b>254</b>	<b>339</b>	<b>410</b>	<b>508</b>	<b>612</b>	<b>699</b>
<b>35</b>	Attendance at conference whether by counsel or Aust lawyer.	<b>149</b>	<b>288</b>	<b>411</b>	<b>508</b>	<b>635</b>	<b>767</b>	<b>892</b>
<b><u>Mediation</u></b>								
<b>36</b>	Preparation including all necessary instructions, instructions for brief for counsel or brief notes for Australian lawyer, all necessary correspondence, perusals, etc	<b>84</b>	<b>254</b>	<b>339</b>	<b>410</b>	<b>499</b>	<b>598</b>	<b>687</b>
<b>37</b>	Attending mediation by Australian lawyer, for first 4 hours or part thereof.	<b>149</b>	<b>288</b>	<b>411</b>	<b>508</b>	<b>626</b>	<b>751</b>	<b>878</b>
<b>38</b>	For each subsequent hour.	<b>43</b>	<b>82</b>	<b>101</b>	<b>119</b>	<b>155</b>	<b>186</b>	<b>218</b>
<b>39</b>	Attending Mediation with counsel (where necessary) per hour.	<b>43</b>	<b>82</b>	<b>101</b>	<b>119</b>	<b>155</b>	<b>186</b>	<b>218</b>
<b>40</b>	If Australian lawyer attends at a place more than 50 km from his or her place of business, an additional fee may be allowed.							
<b>41</b>	The reasonable costs of a mediation held before the commencement of proceedings may be allowed.							

	<i>Up to \$500</i>	<i>&gt;500 &lt;5,000</i>	<i>&gt;5,000 &lt;7,500</i>	<i>&gt;7,500 &lt;20,000</i>	<i>20,000&lt; 40,000</i>	<i>40,000&lt; 70,000</i>	<i>70,000+</i>
	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>
<b>42</b>	<b><u>Court Attendance</u></b>						
	Attendance at Court or upon magistrate or officer of the Court on application, summons, appeal or to hear reserved judgment.						
	<b>89</b>	<b>198</b>	<b>245</b>	<b>297</b>	<b>371</b>	<b>445</b>	<b>532</b>
<b>43</b>	Attendance of Australian lawyer without counsel at a WorkCover directions hearing or at a hearing of an application for revocation of a direction of a conciliation officer.						
	<b>149</b>	<b>288</b>	<b>412</b>	<b>510</b>	<b>640</b>	<b>770</b>	<b>894</b>
<b>44</b>	Attending WorkCover mentions.						
	<b>135</b>	<b>135</b>	<b>135</b>	<b>135</b>	<b>135</b>	<b>135</b>	<b>135</b>
<b>45</b>	Attendance at Court on hearing-Australian lawyer without counsel for the first six hours (including any luncheon adjournment).						
	<b>316</b>	<b>635</b>	<b>957</b>	<b>1148</b>	<b>1436</b>	<b>1716</b>	<b>1996</b>
<b>46</b>	If attendance at Court exceeds six hours- for each hour thereafter.						
	<b>67</b>	<b>125</b>	<b>149</b>	<b>183</b>	<b>227</b>	<b>273</b>	<b>319</b>
<b>47</b>	Attendance at Court by Australian lawyer on hearing with counsel for the first three hours.						
	<b>144</b>	<b>245</b>	<b>305</b>	<b>368</b>	<b>455</b>	<b>548</b>	<b>633</b>
<b>48</b>	If attendance exceeds 3 hours- for each hour thereafter.						
	<b>43</b>	<b>82</b>	<b>101</b>	<b>119</b>	<b>148</b>	<b>180</b>	<b>212</b>
	<b><u>Conference with Counsel</u></b>						
<b>49</b>	Appointment and attendance per hour (when necessary).						
	<b>43</b>	<b>89</b>	<b>112</b>	<b>143</b>	<b>179</b>	<b>215</b>	<b>251</b>

		<i>Up to \$500</i>	<i>&gt;500 &lt;5,000</i>	<i>&gt;5,000 &lt;7,500</i>	<i>&gt;7,500 &lt;20,000</i>	<i>20,000&lt; 40,000</i>	<i>40,000&lt; 70,000</i>	<i>70,000+</i>
		<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>
<b><u>Fees to Counsel</u></b>								
<b>50</b>	To draw or settle any necessary document including notice before action, particulars of claim or defence (including special defence). Counterclaim, interrogatories and medical panel referral documents including medical questions, section 65 (6A) statements, lists of documents and submissions pursuant to the Accident Compensation Act, 1985 etc.	<b>56</b>	<b>104</b>	<b>136</b>	<b>157</b>	<b>204</b>	<b>243</b>	<b>282</b>
<b>51</b>	To confer, prepare, view or consult - per hour.	<b>56</b>	<b>104</b>	<b>136</b>	<b>157</b>	<b>204</b>	<b>243</b>	<b>282</b>
<b>52</b>	To advise on evidence or give opinion.	<b>n/a</b>	<b>n/a</b>	<b>180</b>	<b>272</b>	<b>294</b>	<b>329</b>	<b>492</b>
<b>53</b>	Brief on hearing.	<b>370</b>	<b>832</b>	<b>1121</b>	<b>1344</b>	<b>1677</b>	<b>2015</b>	<b>2200</b>
<b>54</b>	For each six hours or part thereof after the first six hours of hearing (including any luncheon adjournment).	<b>250</b>	<b>555</b>	<b>744</b>	<b>894</b>	<b>1121</b>	<b>1338</b>	<b>1564</b>
<b>55</b>	Attending mediation, for the first 4 hours or part thereof.	<b>153</b>	<b>298</b>	<b>424</b>	<b>523</b>	<b>656</b>	<b>788</b>	<b>920</b>
<b>56</b>	For each subsequent hour.	<b>46</b>	<b>84</b>	<b>103</b>	<b>123</b>	<b>166</b>	<b>195</b>	<b>230</b>



		<i>Up to \$500</i>	<i>&gt;500 &lt;5,000</i>	<i>&gt;5,000 &lt;7,500</i>	<i>&gt;7,500 &lt;20,000</i>	<i>20,000&lt; 40,000</i>	<i>40,000&lt; 70,000</i>	<i>70,000+</i>
		<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>
<b>64</b>	Ordinary letter (including an agency letter).	<b>25</b>	<b>25</b>	<b>25</b>	<b>25</b>	<b>25</b>	<b>25</b>	<b>25</b>
<b>65</b>	Circular letter. After the first, postage may be claimed as a disbursement.	<b>14</b>	<b>14</b>	<b>14</b>	<b>14</b>	<b>14</b>	<b>14</b>	<b>14</b>
	<b><u>Attendances</u></b>							
<b>66</b>	Attendance - such as an attendance at the office of the Registrar or on a process served or to serve or an attendance which is capable of being made by a clerk.	<b>25</b>	<b>25</b>	<b>25</b>	<b>25</b>	<b>25</b>	<b>25</b>	<b>25</b>
<b>67</b>	Attendance (personal or by telephone) of a Australian lawyer or managing clerk and involving an exercise of skill or legal knowledge - for each quarter hour.	<b>43</b>	<b>43</b>	<b>43</b>	<b>43</b>	<b>43</b>	<b>43</b>	<b>43</b>
<b>68</b>	Attendance which does not involve the exercise of skill or legal knowledge - for each quarter hour.	<b>21</b>	<b>21</b>	<b>21</b>	<b>21</b>	<b>21</b>	<b>21</b>	<b>21</b>
	<b><u>Warrant,summons, etc.</u></b>							
<b>69</b>	Warrant to seize property or of delivery including instructions preparation and issuing.	<b>49</b>	<b>100</b>	<b>118</b>	<b>148</b>	<b>186</b>	<b>223</b>	<b>262</b>
<b>70</b>	Summons for oral examination, including instructions, preparation of summons and affidavit, issuing, arranging service, forwarding summons and affidavit to Registrar with letter.	<b>51</b>	<b>119</b>	<b>145</b>	<b>160</b>	<b>202</b>	<b>245</b>	<b>286</b>
<b>71</b>	Proceedings for attachment of debts including all professional costs.	<b>144</b>	<b>290</b>	<b>325</b>	<b>388</b>	<b>485</b>	<b>579</b>	<b>758</b>



	<i>Up to \$500</i>	<i>&gt;500 &lt;5,000</i>	<i>&gt;5,000 &lt;7,500</i>	<i>&gt;7,500 &lt;20,000</i>	<i>20,000&lt; 40,000</i>	<i>40,000&lt; 70,000</i>	<i>70,000+</i>
	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>
<b>79</b> In addition to the above mentioned service fees an allowance at the rate of 64 cents for each one kilometre in respect of any distance measured both ways from the nearest courthouse or other building where the court is held, or the residence of the person who served the court document, whichever is the closer to the place of service or attempted service of the document.							
<b>80</b> Order for substituted service including all professional costs	<b>127</b>	<b>229</b>	<b>273</b>	<b>322</b>	<b>405</b>	<b>479</b>	<b>556</b>
<b>81</b> If an advertisement in lieu of service is ordered, the necessary and reasonable costs of the advertisement in addition							
<b>82</b> <b>Witnesses Expenses</b>  Witnesses giving evidence in an expert or professional capacity, up to \$250 per hour or part thereof, but not to exceed \$1754 per day  Other witnesses- up to \$63 per hour or part thereof, but not to exceed \$313 per day							
<b>82A</b> Witnesses giving evidence in the capacity of motor vehicle loss assessors, up to \$130 per hour or part thereof, but not to exceed \$715 per day.							