



DUST DISEASES TRIBUNAL OF NSW

ADVICE TO PRACTITIONERS (No. 2 of 2024)

NEW TRIBUNAL FEES COMMENCING 1 JULY 2024

Practitioners are advised that Schedule 1 Part 2 of the *Dust Diseases Tribunal Regulation 2019* has been updated to reflect the new fee unit amount for financial year 2024-25.

A copy of Schedule 1 of the *Dust Diseases Tribunal Regulation 2019* and a table of the new fee amounts is attached below.

Daniel Watson
Registrar
28 June 2024

Dust Diseases Tribunal Regulation 2019

Current version for 1 July 2022 to date (accessed 25 June 2024 at 12:50)

Schedule 1

Schedule 1 Fees

clauses 4 and 4A

Part 1 Fees

	Column 1	Column 2	Column 3
Item	Matter for which fee payable	Standard fee (in fee units)	Corporation fee
Filing fees			
1	Initiating process	2.16	Double the standard fee
2	Cross-claim	2.16	Double the standard fee
3	Notice of motion	2.23	Double the standard fee
Hearing fees			
4	First directions hearing	8.61	Double the standard fee
Fees for issuing subpoenas			
5	For production	0.87	Double the standard fee
6	To give evidence	0.42	Double the standard fee
7	For production and to give evidence	0.87	Double the standard fee
Fees for administrative services			
8	Receipt by the registrar of a document or thing produced in compliance with a notice to produce under the <i>Uniform Civil Procedure Rules 2005</i> , Part 34	0.87	Double the standard fee
9	Retrieving, providing access to and supplying a copy of a document, except as specified in items 10–12—		
	(a) for up to 20 pages	0.13	—

	(b) for each 10 pages, or part of 10 pages, after the first 20 pages	0.07	—
10	Supplying a copy of the written opinion or reasons for opinion of a member of the Tribunal—		
	(a) for a printed copy	0.75	—
	(b) for another kind of copy	0.46	—
11	Supplying a copy of a transcript of proceedings—		
	(a) if the matter being transcribed is less than 3 months old—		
	(i) for up to 8 pages	0.92	—
	(ii) for each following page	0.11	—
	(b) if the matter being transcribed is 3 or more months old—		
	(i) for up to 8 pages	1.11	—
	(ii) for each following page	0.13	—
12	Retrieving and providing access to, but not supplying a copy of, a file or box of files in relation to proceedings before the Tribunal, if the file or box of files is retrieved from an off-site storage facility—		
	(a) standard retrieval request	0.85	—
	(b) non-standard retrieval request, including a retrieval request—	0.85 plus the additional cost incurred by the Tribunal	—
	(i) of urgent, high or after hours priority, or		
	(ii) for delivery to or from a location outside the Sydney metropolitan area		
13	Supplying 1 or more sealed or certified copies of a judgment or order of the Tribunal	0.75	—
14	Supplying a duplicate recording of sound-recorded evidence, for each disc	0.56	—
15	Requesting production to the court of documents held by another court	0.64	Double the standard fee

16	Opening or keeping open the registry or part of the registry—		
	(a) on a Saturday, Sunday or public holiday	7.64	Double the standard fee
	(b) on another day—		
	(i) before 8.30am or after 4.30pm	7.64	Double the standard fee
	(ii) between 8.30am and 9am or 4pm and 4.30pm	0.8	Double the standard fee
Fees for other services			

17	Providing a service in respect of proceedings before the Tribunal for which a fee is not otherwise provided for in this Schedule, if the registrar approves the charging of a fee	0.45	Double the standard fee
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Part 2 Adjustment of fees for inflation

1 Definitions

In this Part—

CPI number means the Consumer Price Index (All Groups Index) for Sydney published by the Australian Bureau of Statistics in the latest published series of that index.

financial year means a period of 12 months commencing on 1 July.

2 Calculation of fee unit for Regulation

(1) In this Regulation, a fee unit is—

- (a) in the financial year 2022-2023—\$103.05, and
- (b) in each subsequent financial year—the amount calculated as follows—

$$\$103.05 \times \frac{A}{B}$$

A is the CPI number for the December quarter in the financial year immediately preceding the financial year for which the amount is calculated.

B is the CPI number for the December quarter of 2021.

where—

- (2) The amount of a fee unit is to be rounded to the nearest cent and an amount of 0.5 cent is to be rounded down.

- (3) However, if the amount of a fee unit calculated for any financial year is less than the amount that applied for the previous financial year, then the amount for that previous financial year applies instead.

Editorial note—

Fee unit amount calculated under this clause—

Financial year	Fee unit amount
2023-24	\$110.93
2024-25	\$115.59

3 Rounding of fee amounts

The amount of a fee calculated by reference to a fee unit is to be rounded to the nearest dollar and an amount of 50 cents is to be rounded down.

4 Notice of indexed fees

- (1) As soon as practicable after the CPI number for the December quarter is published by the Australian Bureau of Statistics, the Secretary of the Department of Communities and Justice is required to—
- (a) notify the Parliamentary Counsel of the amount of the fee unit for the next financial year so that notice of that amount can be published on the NSW legislation website, and
 - (b) give public notice on an appropriate government website of the actual amounts of the fees applying in each financial year resulting from the application of the amount of a fee unit calculated under this Part.
- (2) This Part operates to change an amount of a fee that is calculated by reference to a fee unit and that change is not dependent on the notification or other notice required by this clause.

Dust Diseases Tribunal Regulation 2019

115.59

2024/25 CPI increase 4.2%

Item	Column 1 Matter for which fee payable	Column 2 Standard fee (in fee units)	Column 3 Corporation fee	Revised Standard fee (2024-2025) TBA	Revised Corporate fee (2024-2025) TBA
Filing fees					
1	Initiating process	2.16	Double the standard fee	250.00	500.00
2	Cross-claim	2.16	Double the standard fee	250.00	500.00
3	Notice of motion	2.23	Double the standard fee	258.00	516.00
Hearing fees					
4	First directions hearing	8.61	Double the standard fee	995.00	1,990.00
Fees for issuing subpoenas					
5	For production	0.87	Double the standard fee	101.00	202.00
6	To give evidence	0.42	Double the standard fee	49.00	98.00
7	For production and to give evidence	0.87	Double the standard fee	101.00	202.00
Fees for administrative services					
8	Receipt by the registrar of a document or thing produced in compliance with a notice to produce under the Uniform Civil Procedure Rules 2005, Part 34	0.87	Double the standard fee	101.00	202.00
9	Retrieving, providing access to and				
	(a) for up to 20 pages	0.13	—	15.00	
	(b) for each 10 pages, or part of 10 pages, after the first 20 pages	0.07	—	8.00	
10	Supplying a copy of the written opinion or reasons for opinion of a member of the Tribunal—				
	(a) for a printed copy	0.75	—	87.00	
	(b) for another kind of copy	0.46	—	53.00	
11	Supplying a copy of a transcript of proceedings—				
	(a) if the matter being transcribed is less than 3 months old—				
	(i) for up to 8 pages	0.92	—	106.00	
	(ii) for each following page	0.11	—	13.00	
	(b) if the matter being transcribed is 3 or more months old—				
	(i) for up to 8 pages	1.11	—	128.00	
	(ii) for each following page	0.13	—	15.00	
12	Retrieving and providing access to, but not supplying a copy of, a file or box of files in relation to proceedings before the Tribunal, if the file or box of files is retrieved from an off-site storage facility—				
	(a) standard retrieval request	0.85	—	98.00	
	(b) non-standard retrieval request, including a retrieval request—	0.85 plus the additional cost incurred by the Tribunal	—	\$98 plus the additional cost incurred by the Tribunal	
	(i) of urgent, high or after hours priority, or				
	(ii) for delivery to or from a location outside the Sydney metropolitan area				
13	Supplying 1 or more sealed or certified copies of a judgment or order of the Tribunal	0.75	—	87.00	
14	Supplying a duplicate recording of sound-recorded evidence, for each disc	0.56	—	65.00	
15	Requesting production to the court of documents held by another court	0.64	Double the standard fee	74.00	148.00

16	Opening or keeping open the registry or part of the registry—				
	(a) on a Saturday, Sunday or public holiday	7.64	Double the standard fee	883.00	1,766.00
	(b) on another day—				
	(i) before 8.30am or after 4.30pm	7.64	Double the standard fee	883.00	1,766.00
	(ii) between 8.30am and 9am or 4pm and 4.30pm	0.8	Double the standard fee	92.00	184.00
Fees for other services					
17	Providing a service in respect of proceedings before the Tribunal for which a fee is not otherwise provided for in this Schedule, if the registrar approves the charging of a fee	0.45	Double the standard fee	52.00	104.00