

# **MAGISTRATES COURT OF TASMANIA**

## **CIRCULAR TO PRACTITIONERS**

**No 4 of 2023**

### ***Fees (Annual Increase) Effective 1 July 2023***

Lawyers and parties are advised that the annual indexation of a “fee unit” pursuant to the *Fee Units Act 1997* takes effect from 1 July 2023.

From 1 July 2023 a fee unit will have a prescribed value of \$1.78.

Accordingly, fees are increased in the Court’s various jurisdictions under the following legislation:

- *Justices Regulations 2013*
- *Magistrates Court (Civil Division) (Fees) Regulations 2018*
- *Magistrates Court (Administrative Appeals Division) (Fees) Regulations 2012*
- *Coroners (Fees, Expenses and Allowances) Regulations 2016*
- *Surrogacy Regulations 2013*

A schedule of all current fees (amended from 1 July to include the abovementioned increase) is published on the Magistrates Court website at:

<http://www.magistratescourt.tas.gov.au/fees>

**Yolanda Prenc**  
**Administrator of Courts**

30 June 2023

## MAGISTRATES COURT OF TASMANIA

### *Civil Division - Costs & Fees Claimable - Ready Reckoner*

Following the annual indexation of a "fee unit" (now \$1.78) under the *Fee Units Act 1997*, which takes effect from 1 July 2023, lawyers and parties are advised that the calculation of fees payable and costs and expenses currently claimable in liquidated claims in the Magistrates Court (Civil Division), based on a single Claimant and a single Defendant, are as follows:

	<b>\$ Amount Claimed in Action</b>				
	<b>&lt;\$1,000</b>	<b>\$1,001 - \$3,000</b>	<b>\$3,001 - \$5,000</b>	<b>\$5,001 - \$10,000</b>	<b>&gt;\$10,000</b>
<b>Filing fee on originating process.</b>	124.60	124.60	124.60	249.20	249.20
<b>Appeal Costs Fund fee.</b>	8.90	8.90	8.90	8.90	8.90
<b>Total filing fees payable on Claim</b>	<b>133.50</b>	<b>133.50</b>	<b>133.50</b>	<b>258.10</b>	<b>258.10</b>
<b>Solicitors' costs allowed.</b>	102.00	204.00	306.00	408.00	510.00
<b>Service allowed per Defendant.</b>	51.00	51.00	51.00	51.00	51.00
<b>Total costs &amp; fees endorsed on Claim</b>	<b>286.50</b>	<b>388.50</b>	<b>490.50</b>	<b>717.10</b>	<b>819.10</b>
<b>Solicitors' costs on entering default judgment.</b>	51.00	51.00	51.00	51.00	51.00
<b>Total costs &amp; fees claimed on signing judgment</b>	<b>337.50</b>	<b>439.50</b>	<b>541.50</b>	<b>768.10</b>	<b>870.10</b>
<b>Solicitors' costs on preparing enforcement process.</b>	51.00	51.00	51.00	51.00	51.00
<b>Filing fee on enforcement process.</b>	44.50	44.50	44.50	44.50	44.50
<b>Service expense allowed (per party per service).</b>	51.00	51.00	51.00	51.00	51.00
<b>or Bailiff's execution fee allowed(Warrants to Sell Property) .</b>	186.90	186.90	186.90	186.90	186.90

1. For filing fees, see:  
*Magistrates Court (Civil Division) (Fees) Regulations 2018, Schedule 1; and  
Fee Units Act 1997 s6*
2. For Appeal Costs Fund fee, see:  
*Appeal Costs Fund Act 1968 s5(1) and Appeal Costs Fund Regulations 2013 reg.4 and reg.5*
3. For costs allowable, see:  
*Magistrates Court (Civil Division) Rules 1998, Schedule 1, Part 3*
4. For service fee allowable, see:  
*Magistrates Court (Civil Division) Rules 1998, Schedule 1, Parts 1 & 2, Item 14(b)*
5. For garnishee applications, a service expense is allowable once upon the Judgment Debtor (Application and Provisional Order), and twice upon the Garnishee (Application, Provisional Order, and Final Order).