



Victoria Government Gazette

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Subordinate Legislation Act 1994

DEPARTMENT OF JUSTICE AND REGULATION

Notice of Decision

Supreme Court (Fees) Regulations 2018

I, Martin Pakula, Attorney-General, and Minister responsible for administering the **Supreme Court Act 1986**, give notice under section 12 of the **Subordinate Legislation Act 1994** of my decision to make the proposed Supreme Court (Fees) Regulations 2018 (the proposed regulations).

The objective of the proposed regulations is to prescribe the fees payable in respect of proceedings in the Supreme Court of Victoria. A regulatory impact statement (RIS) was prepared for the proposed regulations.

Notices announcing the availability of the RIS were placed in the Government Gazette on 22 June 2018, in The Herald Sun on 23 June 2018, and in The Age on 25 June 2018. The notices invited public comment, with a closing date for submissions of 3 August 2018. Five submissions were received in response.

I have decided that the proposed regulations should be made, with amendments. The proposed regulations will commence on 30 September 2018. The amendments to the proposed regulations are as follows:

- amending the definition of ‘standard fee payer’ to include an entity which is a not-for-profit organisation, instead of an entity registered under the **Australian Charities and Not-for-Profit Commission Act 2012**;
- expanding the definition of ‘standard fee payer’ to include the executor or administrator of a deceased estate;
- adding a fee exemption for appeals from an order of the Victorian Civil and Administrative Tribunal on the review of a determination of the Mental Health Tribunal under section 201 of the **Mental Health Act 2014**;
- clarifying that where a representative is acting on behalf of a party, the fees payable are those which the represented party would be liable to pay;
- adding fee waivers for those applicants under the age of 18 years; and
- a number of minor and technical amendments to clarify the practical operation of the regulations.

MARTIN PAKULA, MP
Attorney-General

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