



Victoria Government Gazette

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Subordinate Legislation Act 1994

NOTICE OF DECISION

Supreme Court Act 1986

As Minister responsible for the **Supreme Court Act 1986**, I give notice under section 12 of the **Subordinate Legislation Act 1994** that, further to public consultation on a Regulatory Impact Statement (RIS), I have decided to recommend the making of the proposed Supreme Court (Fees) Amendment Regulations 2024 (the proposed Regulations).

The RIS and a consultation draft of the proposed Regulations were made available for public comment from 20 June 2024 until 19 July 2024. Eight submissions and 124 survey responses were received and have been considered in accordance with section 11(3) of the **Subordinate Legislation Act 1994**.

After consideration of public feedback, I have decided to recommend that the proposed Regulations be made, with amendments to the draft of the proposed Regulations that were released for public comment. The amendments to the proposed Regulations following public consultation include the following:

- Removing the Grant of Representation fee for estates valued at less than \$250,000.
- Reducing the Grant of Representation fee for \$1 million to \$2 million fee tier to 147 fee units.
- Reinstating the Grant of Representation fee tier '\$2 million to \$3 million' and set at 294 fee units.
- Reducing the Grant of Representation fee for \$5 million to \$7 million fee tier to 735 fee units.
- Adding a Grant of Representation fee tier above \$7 million and set at 1029 fee units.
- Adding a new fee for filing of an amended Originating Motion set at 3.0 fee units.
- Adding a new fee refund when an application is withdrawn by the applicant prior to any work being conducted by the Probate Office.

More details on how submissions have been considered and responded to are set out in the Statement of Reasons published on the Engage Victoria website: engage.vic.gov.au/review-of-probate-fees and available upon request by emailing court.fees@justice.vic.gov.au

After the proposed Regulations are made, they can be downloaded from www.legislation.vic.gov.au The proposed Regulations will commence 18 November 2024.

JACLYN SYMES MP
Attorney-General

SPECIAL

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