

As in force at 1 July 2002.

South Australia

**ENVIRONMENT, RESOURCES AND DEVELOPMENT COURT
REGULATIONS 1993**

**REGULATIONS UNDER THE ENVIRONMENT, RESOURCES AND
DEVELOPMENT COURT ACT 1993**

Environment, Resources and Development Court Regulations 1993

being

No. 245 of 1993: *Gaz.* 27 October 1993, p. 2094¹

as varied by

No. 88 of 1994: *Gaz.* 23 June 1994, p. 1795²

No. 68 of 1995: *Gaz.* 10 May 1995, p. 2030³

No. 99 of 1996: *Gaz.* 30 May 1996, p. 2688⁴

No. 63 of 1997: *Gaz.* 13 May 1997, p. 1834⁵

No. 56 of 1998: *Gaz.* 28 May 1998, p. 2300⁶

No. 124 of 1999: *Gaz.* 24 June 1999, p. 3277⁷

No. 57 of 2000: *Gaz.* 25 May 2000, p. 2712⁸

No. 44 of 2001: *Gaz.* 31 May 2001, p. 1944⁹

No. 81 of 2002: *Gaz.* 20 June 2002, p. 2573¹⁰

¹ Came into operation 15 January 1994: reg. 2.

² Came into operation 1 July 1994: reg. 2.

³ Came into operation 1 July 1995: reg. 2.

⁴ Came into operation 1 July 1996: reg. 2.

⁵ Came into operation 1 July 1997: reg. 2.

⁶ Came into operation 1 July 1998: reg. 2.

⁷ Came into operation 1 July 1999: reg. 2.

⁸ Came into operation 1 July 2000: reg. 2.

⁹ Came into operation 1 July 2001: reg. 2.

¹⁰ **Came into operation 1 July 2002: reg. 2.**

NOTE:

- *Asterisks indicate repeal or deletion of text.*
- *Entries appearing in bold type indicate the amendments incorporated since the last consolidation.*
- *For the legislative history of the regulations see Appendix.*

3.

SUMMARY OF PROVISIONS

1. Citation
2. Commencement
3. Interpretation
4. Fees
5. Interest rate

SCHEDULE

Fees in General Jurisdiction

APPENDIX

LEGISLATIVE HISTORY

Citation

1. These regulations may be cited as the *Environment, Resources and Development Court Regulations 1993*.

Commencement

2. These regulations will come into operation on 15 January 1994.

Interpretation

3. In these regulations—

"the Act" means the *Environment, Resources and Development Act 1993*.

Fees

4. (1) The fees set out in the schedule are payable to the Court in relation to proceedings before the Court, other than criminal proceedings.

(2) The fees that are payable in relation to criminal proceedings before the Court will be the fees that are from time to time set for the purposes of proceedings in the Criminal Division of the Magistrates Court under the *Magistrates Court (Fees) Regulations 1992*.

Interest rate

5. For the purposes of section 40(1) of the Act, the prescribed rate of interest is 10 per cent per annum.

SCHEDULE*Fees in General Jurisdiction*

- | | | |
|-----|---|---|
| 1. | On filing or lodging any application or initiating any appeal or other proceedings, other than— | |
| | (a) an interlocutory application under the rules of the Court; or | |
| | (b) an application that relates to a building dispute to which section 86(5) of the <i>Development Act 1993</i> applies; or | |
| | (c) an application to the Court for a consent judgment | \$65.50 |
| 2. | On an application by a party to proceedings for the issue of a summons | \$25.20 |
| 3. | Court fee payable by an applicant where the application relates to a building dispute to which section 86(5) of the <i>Development Act 1993</i> applies | \$199 |
| 4. | Court fee payable by the applicant or appellant if a matter proceeds to a hearing | \$132 |
| 5. | For each request to inspect any material under section 47(1) of the Act | \$8.80 |
| 6. | For a copy of a transcript of evidence | \$5 per page |
| 7. | Except where clause 8 applies, for a copy of any documentary material admitted into evidence | \$5 per page |
| 8. | For a copy of any photograph, map, plan or other document which is greater than A4 in size | \$5 per page, or the actual cost of copying, whichever is the greater |
| 9. | (1) For a copy of any decision or order given or made by the Court | \$5 per page |
| | (2) A party to any proceedings is entitled to one copy of any decision or order given or made by the Court without charge | |
| 9A. | For a plain or office copy of any other document for which a fee has not been fixed under any other clause | \$2.20 per page |
| 10. | For opening Registry (or Registry remaining open) after hours for urgent execution of process | \$65.50 per hour or part of an hour |

APPENDIX

LEGISLATIVE HISTORY

(entries in bold type indicate amendments incorporated since the last consolidation)

Schedule

- Item 1:** varied by 68, 1995, reg. 3(a); 99, 1996, reg. 3(a); 63, 1997, reg. 3(a); 56, 1998, reg. 3(a); 57, 2000, reg. 3(a); 44, 2001, reg. 3(a); **81, 2002, reg. 3(a)**
- Item 2:** varied by 68, 1995, reg. 3(b); 99, 1996, reg. 3(b); 56, 1998, reg. 3(b); 57, 2000, reg. 3(b); 44, 2001, reg. 3(b); **81, 2002, reg. 3(b)**
- Item 3:** varied by 68, 1995, reg. 3(c); 99, 1996, reg. 3(c); 63, 1997, reg. 3(b); 56, 1998, reg. 3(c); 124, 1999, reg. 3(a); 57, 2000, reg. 3(c); 44, 2001, reg. 3(c); **81, 2002, reg. 3(c)**
- Item 4:** varied by 68, 1995, reg. 3(d); 99, 1996, reg. 3(d); 63, 1997, reg. 3(c); 56, 1998, reg. 3(d); 124, 1999, reg. 3(b); 57, 2000, reg. 3(d); 44, 2001, reg. 3(d); **81, 2002, reg. 3(d)**
- Item 5:** varied by 99, 1996, reg. 3(e); 57, 2000, reg. 3(e); 44, 2001, reg. 3(e); **81, 2002, reg. 3(e)**
- Item 6:** varied by 88, 1994, reg. 3; 56, 1998, reg. 3(e); **81, 2002, reg. 3(f)**
- Item 7:** varied by 56, 1998, reg. 3(f); **81, 2002, reg. 3(g)**
- Item 8:** varied by 56, 1998, reg. 3(g); **81, 2002, reg. 3(h)**
- Item 9: varied by 56, 1998, reg. 3(h)
- Item 9(1):** varied by **81, 2002, reg. 3(i)**
- Item 9A:** inserted by 56, 1998, reg. 3(i); varied by 44, 2001, reg. 3(f); **81, 2002, reg. 3(j)**
- Item 10:** varied by 68, 1995, reg. 3(e); 99, 1996, reg. 3(f); 63, 1997, reg. 3(d); 56, 1998, reg. 3(j); 57, 2000, reg. 3(f); 44, 2001, reg. 3(g); **81, 2002, reg. 3(k)**