

Variation of Scales Applicable Under Appendix to Order 63 of the Supreme Court Rules

As a result of an increase in the rate per unit referred to in item 3 of Part 1 of the Appendix to Order 63 of the Supreme Court Rules and pursuant to Item 9 of Part of that Appendix, the following new rates apply as from 1 January 1996:

Part 3 - Composite Scale		1990	1991	1992	1993	1994/5	1996
1	Letters - (a) special	61	66	66	71	73	76
	(b) ordinary	37	40	40	43	46	54
	(c) circular	7	7	7	7	8	8
2	Drawing and engrossing -						
	(a) Court Document						
	(i) requiring skill	68	72	72	78	80	85
	(ii) using form or standard document, or, in case of standard form of judgment, order, or the like	37	37	37	40	41	46
	(b) other -						
	(i) requiring skill	19	20	20	22	23	23
	(ii) not requiring skill	13	13	13	14	16	16
3	Engrossing a document drawn by someone other than the solicitor making the charge - per unit	7	7	7	7	8	8
4	Telephone calls - (a) requiring skill	12	13	13	14	14	15
	(b) not requiring skills	7	7	7	7	8	8
5	Marking annexures, exhibits, enclosing notices of appointment and the like - per unit	7	7	7	7	8	8
6	Copying - per unit	7	7	7	7	8	8
7	Instructions to sue to Notice of Trial	851	922	922	993	1023	1064
8	Instructions to defend to Notice of Trial	616	667	667	718	740	770
9	Application in a proceeding - (a) contested	545	590	590	635	654	682
	(b) uncontested	436	472	472	508	524	545
10	Requiring discovery and inspection	327	354	354	381	393	409
11	Providing discovery and inspection	245	265	265	285	294	307
12	Seeking answers to interrogatories	376	407	407	438	451	470
13	Furnishing answers to interrogatories	390	422	422	454	468	498

Part 4 - Fixed Costs

Basic Costs

Item	Matter in respect of which charge is made	\$ 1990	\$ 1991	\$ 1992	\$ 1993	\$ 1994/5	\$ 1996
1	Costs to be claimed on writ	337	365	365	393	405	409
	In addition, stamp duty paid on filing the writ and on relevant copies.						
2	Costs on judgement in default of appearance -						
	(a) where writ served by post:	436	472	472	508	524	545
	(b) where writ served by solicitor's clerk:	491	532	532	573	591	614
	(c) where writ served by person other than solicitor's clerk:	436	472	472	508	524	545
	<i>In addition -</i>						
	(d) where more than one defendant - for each	11	12	12	13	13	15

Additional Costs

3	In addition to costs payable under item 2 -						
	(a) costs in default of defence	55	60	60	65	67	68
	(b) where service out of jurisdiction is ordered and effected -						
	(i) in the case of service in the Commonwealth:	164	178	178	192	198	205
	(ii) in the case of service overseas:	218	236	236	254	262	273
	(c) where substituted service is ordered and effected -						
	(i) on only defendant	436	472	472	508	524	545
	(ii) where more than one defendant so served - in respect of each defendant served	55	60	60	65	67	68
	(iii) the reasonable fees incurred for any advertising required under an order for substituted service; and						
	(d) where a judgment is registered under the <u>Service and Execution of Process Act</u> - on entry of judgment	109	118	118	127	131	137
	(e) where leave to proceed is given under the <u>Service and Executive of Process Act</u> - on entry of judgment	327	354	354	381	393	409

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Counsel's Fees - Fees on Brief & Refresher Fees (Trials)

<u>Junior Counsel</u>	<u>1990</u>	<u>1991/2</u>	<u>1993-5</u>	<u>1996</u>
	\$	\$	\$	\$
• per day	550-760	600-820	650-880	690-940
• part of day (2 ½hrs or less)	270-380	290-410	310-440	330-470
<i>Preparation Time</i>				
(a) where time involved is less than 6 hrs	270-380	290-410	310-440	330-470
(b) per day	550-760	600-820	650-880	690-940
<i>Conferences</i> (not included in preparation time or daily rate)				
• per hour	110-130	120-140	130-150	140-160
<i>Brief to hear judgement where it is reasonable that Counsel should attend</i>				
• per hour	110-130	120-140	130-150	140-160
• If more than 2½hrs, at daily rates				
<i>Interlocutory applications</i> (where certified fit for counsel)				
(a) short matters (1hr or less)	90-110	100-120	110-130	120-140
(b) longer than 1hr but not longer than ½ day or;	220-330	240-360	260-390	280-420
(c) per day	550-760	600-820	650-880	690-940
<i>Opinions</i>				
(a) basic	220-270	240-290	260-310	280-330
(b) complex	Such fees as the Taxing Master considers reasonable			
<i>Written submissions</i> (where not included in preparation time)				
An allowance having regard to the complexity of the matter and the time taken in preparation of written submissions may be allowed where it is reasonable to prepare written submissions based on the daily rate for fee on brief/refreshers.				
<i>Drawing or settling documents including pleadings, affidavits and notices of appeal</i>				
(a) basic	110-160	120-170	130-180	140-190
(b) complex	Such fees as the Taxing Master considers reasonable			
(Fees to Senior counsel will be allowed only where it is proper to do so).				
<i>Appeals and applications for leave to appeal</i>				
(a) where the appeal or appln takes ½ day or less	270-380	290-410	310-440	330-470
(b) per day	550-760	600-820	650-880	690-940
<u>Senior/Junior Counsel</u>	<u>1990</u>	<u>1991/2</u>	<u>1993-5</u>	<u>1996</u>
	\$	\$	\$	\$
• per day	870-1090	940-1180	1010-1270	1080-1350
• part of day 2 ½hrs or less	440-550	480-600	520-650	550-690
<i>Preparation time</i>				
(a) where time involved is less than 6hrs	440-550	480-600	520-650	550-690
(b) per day	870-1090	940-1180	1010-1270	1080-1350
<i>Conferences</i> (not included in preparation time or daily rate)				
• per hour	150-170	160-180	170-190	180-200
<i>Brief to hear judgement where it is reasonable that Counsel should attend</i>				
• per hour	150-170	160-180	170-190	180-200
• If more than 2½hrs, at daily rates				
<i>Interlocutory matters</i> (where certified fit for counsel)				
(a) short matters (1hr or less)	130-150	140-160	150-170	160-80
(b) longer than 1hr but not longer than ½ day; or	380-490	410-530	440-570	470-610
(c) per day	870-1090	940-1180	1010-1270	1080-1350
<i>Opinions</i>				
(a) basic	270-490	290-530	310-570	330-610
(b) complex	Such fees as the Taxing Master considers reasonable			
<i>Written Submissions</i> (where not included in preparation time)				
An allowance having regard to the complexity of the matter and the time taken in preparation of written submissions may be allowed where it is reasonable to prepare written submissions based on the daily rate for fee on brief/refreshers.				

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Counsel's Fees - Fees on Brief & Refresher Fees (Trials)

Drawing or settling documents including pleadings, affidavits and notices of appeal

(a) basic	160-270	170-290	180-310	190-330
(b) complex	Such fee as the Taxing Officer considers reasonable			
(Fees to senior counsel will be allowed only where it is proper to do so).				

Appeals and applications for leave to appeal

(a) where the appeal or application takes ½ a day or less	440-550	480-610	520-660	550-700
(b) per day	870-1090	940-1180	1010-1270	1080-1350

Senior Counsel

	<u>1990</u>	<u>1991/2</u>	<u>1993-5</u>	<u>1996</u>
	\$	\$	\$	\$
• per day	1640-2180	1780-2360	1920-2540	2050-2710
• part of day (2½hrs or less)	820-1090	890-1180	960-1270	1020-1350

Preparation time

(a) where time involved is less than 6hrs	820-980	890-1180	960-1270	1020-1350
(b) per day	1640-2180	1780-2360	1920-2540	2050-2710

Conferences (not included in preparation time or daily rate)

• per hour	220-440	240-480	260-520	280-550
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Brief to hear judgment where it is reasonable that Counsel should appear

• per hour	220-400	240-480	260-520	280-550
• If more than 2½hrs, at daily rates.				

Interlocutory matters (where certified fit for counsel)

(a) short matters (1hr or less)	200-440	220-480	240-520	260-550
(b) longer than 1hr but not longer than ½ a day; or	710-870	770-940	830-1010	890-1080
(c) per day	1640-2180	1780-2360	1920-2540	2050-2710

Opinions

(a) basic	600-710	650-770	700-830	750-890
(b) complex	Such fees as the Taxing Master considers reasonable			

Written Submissions (where not included in preparation time)

An allowance having regard to the complexity of the matter and the time taken in preparation of written submissions may be allowed where it is reasonable to prepare written submissions based on the daily rate for fee on brief/refreshers.

Drawing or settling documents including pleadings, affidavits and notices of appeals

(a) basic	270-440	290-480	310-520	330-550
(b) complex	Such fee as the Taxing Master considers reasonable			
(Fees to senior counsel will be allowed only where it is proper to do so).				

Appeals and applications for leave to appeal

(a) where the appeal or application takes ½ a day or less	820-1090	890-1180	960-1270	1020-1350
(b) per day	1640-2180	1780-2360	1920-2450	2050-2710

Master's Memorandum 2 of 1995

As a result of the increase of the solicitor's rate effective from 1 January 1996, the composite fees, including those for winding up of companies, have been reviewed. The fees outlined in Master's Memoranda No 1 of 1993 and No 3 of 1993 will be amended as follows:-

	from 15/7/93	from 1/1/94	from 1/1/96
Composite fee for winding up order (not including disbursements)	\$1,700.00	\$1,800.00	\$1,900.00
Composite fee for appointment of provisional liquidator (not including disbursements and additional to above)	\$750.00	\$800.00	\$800.00
Additional fee for court allowed adjournment/s	\$140.00	\$140.00	\$150.00

Master's memorandum No 1 of 1994 is withdrawn.