

SCHEDULE 2 — SCALE OF COSTS FOR WORK DONE
AND SERVICES PERFORMED —
14 November 2001 to date

(Order 62, rule 12)

[Sch 2 subst SR 407 of 2004 reg 3 and Sch 1, opa 23 Dec 2004]

Item	Matter for which charge may be made	[14.11.01 to 25.11.02 unless otherwise indicated] \$	[26.11.02 to 29.08.04 unless otherwise indicated] \$	[30.08.04 to 22.12.04 unless otherwise indicated] Charge (\$)	[23.12.04 to date unless otherwise indicated] Charge (\$)
INSTRUCTIONS					
1	To sue or defend, to appeal or oppose an appeal or for any other originating proceeding.....	185	191	201	210
2	To make or oppose an interlocutory application or motion to the Court or a Judge or an officer of the Court.....	82	85	89	94
3	For a case for opinion of counsel or for counsel to advise (including attendance on counsel with brief).....	80	83	87	91
4	For an interrogatory, answer to an interrogatory or an affidavit (except a formal affidavit), an admission or a list of documents (and affidavit verifying).....	110	114	120	126
5	For brief for counsel on application in chambers or brief notes for solicitor (if necessary).....	101	104	109	115
	<i>or</i> in respect of items 1 to 5 of this scale, having regard to all the circumstances of the case.....		any other amounts that the taxing officer considers appropriate		
6	For brief for counsel or brief notes for solicitor (if necessary), having regard to all the circumstances of the case.....	a sum that the taxing officer considers appropriate		a sum that the taxing officer thinks fit	
7	For a necessary document not otherwise provided for, having regard to all the circumstances of the case.....	a sum that the taxing officer considers appropriate		a sum that the taxing officer thinks fit	
DOCUMENTS					
8	Any notice of appearance, including copies, filing and service by respondent.....	102	105	110	116
9	Any application or notice of motion, including fixing return day, copies to file and serve, and attendance to file.....	82	85	89	94
	if more than 3 folios — add for each folio.	6	6	6	7
10	Any simple notice or memorandum such as a notice for discovery, including copies, filing (if necessary) and service.....	66	68	71	75
11	Notice to produce, notice to admit or any similar notice, including copies, filing (if necessary) and service.....	82	85	89	94
	if more than 3 folios — add for each folio.	6	6	6	7
12	A brief to counsel (including a brief to hear judgment) and attending counsel with the brief.....	71	73	77	80
	if more than 3 folios — add for each folio.	7	7	7	8
	For copy documents to accompany brief....	the other charges in this scale that are appropriate			
13	Any necessary subpoena, including issuing 1 copy to serve and arranging for service...	56	58	61	64

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DRAWING					
14	Any necessary document — for each folio.	8	8	8	9
ENGROSSING OR TYPING					
15	Any necessary document — for each folio.	4	4	4	4
COPIES					
16	Of any document, including carbon, photographic or machine-made copy — for each page.....	2	2	2	2
	except if allowance for 10 or more pages is claimed in respect of any document or documents.....				at the discretion of the taxing officer
PERUSAL					
17	Of any document (if necessary) including special letter, telegram or telex, up to 3 folios.....	15	15	16	17
	or per folio.....	4	4	4	4
	except if allowance for 30 or more folios is claimed in respect of any document or documents.....				at the discretion of the taxing officer
18	If it is not necessary to peruse but it is necessary to scan a document — for each page.....	6	6	6	7
	except if allowance for 10 or more pages is claimed in respect of any document or documents.....				at the discretion of the taxing officer
EXAMINATION					
19	If it is necessary to neither peruse nor scan a document, eg an examination of an appeal book: for examination — for each half hour				
	• solicitor.....	66	68	71	75
	• clerk.....	15	15	16	17
LETTERS					
20	Short letter — simple form of letter, eg formal acknowledgment.....	11	11	12	12
21	Ordinary letter, including letter between principal and agent.....	21	22	23	24
22	Circular letter (after the first) — for each letter.....	7	7	7	8
23	Special letter or letter including opinion.....	45 or	46 or	48 or	51 or
		an amount that is reasonable having regard to the length of the letter, the questions involved and appropriate items and charges in this scale			
24	Telegram, facsimile copy, or telex including attendance to dispatch.....	56 or	58 or	61 or	84 or
		an amount that is reasonable in the circumstances			
25	Receiving and filing any incoming letter.... <i>Note</i> Postage and transmission fees may be claimed as a disbursement properly incurred	7	7	7	8
SERVICE					
26	Personal service (except if service is able to be claimed under another item of this scale) of any document of which personal service is required.....	55 or	57 or	60 or	63 or
		an amount that is reasonable, having regard to time occupied, distance travelled and other relevant circumstances			

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27	Service of any document at the office of the address for service, either by delivery or by post.....	15	15	16	17
PREPARATION OF APPEAL BOOKS					
28	Preparation of appeal books, including collating all necessary material, attendances on the printer, general oversight of their preparation in cases where the taxing officer is satisfied it has been done efficiently — for each hour:				
	• solicitor.....	119	123	129	136
	• clerk.....	30	31	33	34
29	If appeal books are prepared in a solicitor's office, a sum that the taxing officer considers is just and reasonable, having regard to work and labour properly performed and charges for material used. In exercising his or her discretion, the taxing officer must have regard to commercial rates for copying and binding and is not obliged to apply the photographic or machine-made copy costs otherwise allowable in this scale				
ATTENDANCES					
30	An attendance that is capable of being made by a clerk, such as at the court registry.....	30	31	33	34
31	An attendance that requires the attendance of a solicitor or managing clerk and involves the exercise of skill or legal knowledge (including an attendance to inspect or negotiate) — for each quarter hour:				
	• solicitor.....	53	55	58	61
	• managing clerk.....	12	12	13	13
32	An attendance for which no other provision is made in this scale.....	49	51	54	56
33	An attendance by telephone that does not involve the exercise of skill or legal knowledge.....	10	10	11	11
34	An attendance on counsel:				
	• with brief or papers (if not otherwise provided for).....	31	32	34	35
	• to appoint a conference or consultation.....	31	32	34	35
	• if appointment made by telephone.....	10	10	11	11
35	A necessary conference or consultation with counsel:				
	• if half an hour or less.....	82	85	89	94
	• if over half an hour — for each hour or part of an hour.....	119	123	129	136
36	In court or chambers or before the Registrar for hearing without counsel:				
	• for each hour or part of an hour of the hearing.....	240	248	260	273
	• for each hour or part of an hour when likely to be heard, but not heard.....	240	248	260	273
	• not to exceed per day.....	1076	1110	1166	1223

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37	In court or chambers or before the Registrar for hearing with counsel:				
	• for each hour or part of an hour of the attendance during the hearing	195	201	211	222
	• for each hour or part of an hour of the attendance when likely to be heard, but not heard	195	201	211	222
	• not to exceed per day	884	912	958	1005
	If a person other than a solicitor attends in place of a solicitor:				
	(a) attendance by a managing clerk:				
	• for each hour.....	82	85	89	94
	• not to exceed per day	360	372	391	410
	(b) attendance by any other clerk:				
	• for each hour.....	44	45	47	50
	• not to exceed per day	192	198	208	218
38	To hear judgment.....	55	57	60	63
39	On taxation of costs:				
	• if a solicitor attends — for each hour or part of an hour	119	123	129	136
	• if a clerk attends — for each hour or part of an hour.....	30	31	33	34
40	If a solicitor attends at court or chambers for the hearing of an application or appeal, or on conference with counsel, at a distance of more than 50 kilometres from his or her place of business, and it is neither appropriate nor proper for an agent to attend, the taxing officer may allow for each day of absence from the place of business (except a Saturday, Sunday or public holiday) an amount that the taxing officer considers reasonable — not exceeding	272	281	295	310
	GENERAL CARE AND CONDUCT				
41	If the case or circumstances warrant it, an allowance may be claimed under this item, in addition to any other item that appears in this scale, for general care and conduct (if appropriate) including the following:				a percentage of the total amount of the allowed costs excluding disbursements
	(a) the complexity of the matter and the difficulty and novelty of questions raised;				
	(b) the importance of the matter to the party and the amount involved;				
	(c) the skill, labour, specialised knowledge and responsibility involved in the matter on the part of the solicitor;				
	(d) the number and importance of the documents prepared or perused, without regard to length;				
	(e) the time taken by the solicitor;				
	(f) research and consideration of questions of law and fact				
	COUNSEL'S FEES				
42	It is proper for a solicitor to incur an amount for counsel's fees that appears to be fair and reasonable according to the circumstances of the case and the seniority of counsel. The fees incurred may be claimed as a disbursement				

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43	If a solicitor briefs another solicitor as counsel, when it would be appropriate to brief counsel				a sum as a counsel's fee that the taxing officer considers just and reasonable having regard to the practice of allowing these fees that is permitted by the Supreme Court Rules of the State or Territory concerned (Order 62, rule 35)
CORPORATIONS ACT 2001 — SHORT FORM BILL					
43A	The amount as to the costs of obtaining a winding-up order, up to and including entry and service of the order under section 470 of the Corporations Act 2001 and the obtaining of a certificate of taxation	2521	2602	2732	2867
	Additional costs are allowable for any adjournment in which costs have been reserved by the Court in accordance with item 36 or item 37, as the case may be				
BANKRUPTCY ACT 1966 — SHORT FORM BILLS					
43B	Short form amount that may be claimed by an applicant on the making of a sequestration order	1616	1668	1751	1838
43C	Short form amount that may be claimed by an applicant on the dismissal of a petition..	1392	1437	1509	1584
MIGRATION ACT 1958 — SHORT FORM BILLS					
43D	Short form amount, including costs and disbursements, that may be claimed by a party in a standard migration case		4250	4463	4684
43E	Short form amount, including costs and disbursements, that may be claimed by the respondent in a migration case on dismissal or discontinuance of the case.....		1500	1575	1653
WITNESSES' EXPENSES					
44	Witnesses called because of their professional, scientific or other special skill or knowledge — for each day.....	142 to 704	147 to 727	154 to 763	162 to 801
45	Witnesses called, other than those covered in item 44 — for each day	82 to 132	85 to 136	89 to 143	94 to 150
46	Witnesses remunerated in their occupation by wages, salary or fees				the amount lost by attendance at Court
47	If a witness lives more than 50 kilometres from the Court.....				a sum that the taxing officer considers reasonable for the actual cost of travel, together with a reasonable amount for meals and accommodation
DISBURSEMENTS					
48	All court fees and other fees and payments.				to the extent to which they have been properly and reasonably incurred and paid
49	If a solicitor attends at court or chambers, or on conference with counsel, in the circumstances outlined in item 40.....				reasonable travelling expenses to the extent to which they have been reasonably incurred and paid
MISCELLANEOUS					
50	Matters not included in this scale may be allowed to the extent they are covered by Order 62, rule 21				

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Note 1 Bills of costs prepared in accordance with Order 62, rule 40 must identify costs and disbursements claimed with an item number.

Note 2 A folio comprises 72 words (there are generally 3 folios to each page).