

App. A  
 substituted by  
 S.R. Nos  
 137/1996  
 rule 14,  
 150/1998  
 rule 5, 63/2000  
 rule 5,  
 120/2000  
 rule 5,  
 amended by  
 S.R. No.  
 111/2001  
 rule 12(a)-(d),  
 substituted by  
 S.R. No.  
 130/2001  
 rule 5,  
 amended by  
 S.R. No.  
 36/2002  
 rule 8(a)(b),  
 substituted by  
 S.R. Nos  
 121/2002  
 rule 6,  
 142/2003  
 rule 5,  
 144/2004  
 rule 5.

## APPENDIX A

## SCALE OF COSTS

*Instructions*

- |    |   |          |
|----|---|----------|
| 1. | To institute or defend any proceeding or appeal   | \$227.00 |
| 2. | To make or oppose any interlocutory application   | \$55.00  |
| 3. | For statement of claim whether indorsed on writ or third party notice or served separately, or counterclaim   | \$112.00 |
| 4. | For any other pleading, particulars in lieu of pleading or amended pleading   | \$55.00  |
| 5. | For counsel to advise or give an opinion  | \$55.00  |
| 6. | For counsel to make an interlocutory application where no other brief   | \$55.00  |
| 7. | For witness statements, summaries of evidence or like documents, interrogatories, answers to interrogatories, oral examination for discovery, affidavit or other document for filing on an interlocutory application other than a short, formal affidavit or other document | \$112.00 |
| 8. | For a necessary document not otherwise provided for, such fee as may be reasonable in the circumstances   |          |

No allowance for instructions shall be made under the above items where an allowance for the work is claimed in detail and allowed on that basis

Instead of the fees for instructions above, such larger sum may be allowed as the Taxing Master thinks reasonable in the circumstances

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| 9. | Instructions for brief on trial of proceedings, including an assessment of damages or value or a trial before special referee, or an appeal, such allowances as the Taxing Master thinks reasonable in the circumstances |  |
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*Originating Process*

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|-----|--|----------|
| 10. | Writ or originating motion or summons (where filed as originating process)               | \$130.00 |
| 11. | If any of the above exceed three folios (when not drawn by counsel) for each extra folio | \$24.00  |

The above allowances include all indorsements of claim, copy for filing and one copy for service and attendance to file, but not Court fees

*Corporations Short Form Bill*

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|------|--|-----------|
| 11A. | Costs of obtaining a winding-up order up to and including authentication, filing and service of the order under section 470 of the Corporations Act and the obtaining from the Taxing Master of an order as to costs | \$2613.00 |
|------|--|-----------|

Additional costs are allowable for any adjournment in accordance with item 34 or 35 in respect of which costs have been reserved by the Court

*Interlocutory Process*

- |     |  |          |
|-----|--|----------|
| 12. | Summons before Judge or Master                           | \$112.00 |
| 13. | Subpoena   | \$66.00  |
|     | If a subpoena exceeds three folios, for each extra folio | \$8.90   |

These allowances include preparation of document, copy for filing and one copy for service and attendance to file

*Execution Process*

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|-----|----------------------|----------|
| 14. | Warrant of execution | \$130.00 |
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This allowance includes preparation of the warrant, copy for filing and one copy for service and attendance to file

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*Notices and Memoranda*

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|--|---------|
| 15. Notice to produce or any other necessary or proper notice or memorandum not otherwise provided for, or any demand  | \$44.00 |
| This allowance does not apply to a short notice or memorandum indorsed on another document, but an allowance may be made therefore as part of the allowance for the document |         |
| 16. If the notice is special, or necessarily exceeds three folios, for each folio  | \$24.00 |
| The above allowances include preparation of the notice and one copy for filing or service  |         |

*Appearance*

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| 17. Preparing and attending filing notice of appearance (including one copy for service) | \$78.00 |
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*Drawing Pleadings and Other Documents*

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|---|----------|
| 18. (a) Pleadings, including petitions, indorsement constituting statement of claim on writ or third party notice, including particulars  | \$112.00 |
| (b) If exceeding three folios, for each extra folio   | \$24.00  |
| 19. Any other necessary document, per folio   | \$24.00  |
| No allowance is to be made to a solicitor for drawing a document drawn by counsel, but a fee may be allowed for drawing matter necessary to instruct counsel  |          |
| In allowing for drawing, the Taxing Master may disallow anything which is a repetition or adaptation of matter for the drawing of which allowance has otherwise been made in the proceeding. The Taxing Master may increase these allowances if in the circumstances he thinks it reasonable to do so |          |
| 20. For preparing each exhibit  | \$4.40   |

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*Engrossment and Copies*

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|-----|---|--------|
| 21. | Engrossment of documents, per folio   | \$4.40 |
| 22. | (a) Copy or photocopy of document, per page   | \$1.50 |
|     | (b) Reproduction of document from microfiche, microfilm or like process, per page, the actual cost or   | \$1.50 |
| 23. | Where under the Rules or any order of the Court or for other sufficient cause any document is printed out and it would not have been reasonable to send the original to the printer, a copy for the printer shall be allowed, per page  | \$1.50 |
| 24. | Where more than ten copies of the same document are required, the amount actually and properly paid to a printer (in addition to all necessary attendances on the printer), or, if reproduced by the solicitor, the equivalent amount or such lesser amount as the Taxing Master considers fair and reasonable having regard to commercial rates for similar services, shall be allowed |        |
|     | Where it is necessary to print any part of a document in a foreign language, or as a facsimile, or in any unusual or special manner, or where any alteration in the document printed becomes necessary after the first proof, such further allowance shall be made as the Taxing Master thinks reasonable   |        |

*Perusals*

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| 25. | Of all pleadings, amendments of pleadings (which exceed three folios), applications by summons, notice or otherwise, third party notices, interrogatories, answers thereto, transcripts of discovery by oral examination, notices, affidavits, draft orders submitted for approval by another party, drafts of documents to be settled by an officer of the Court, orders (unless an allowance has been made previously for perusal of a draft), opinions or advices of counsel where requested, bills of costs necessarily perused by the solicitor for the party on whom it was served | \$35.00 |
|     | Or per folio   | \$4.90  |

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| 26. | Of all other documents, including deeds, correspondence (including incoming correspondence), exhibits, per folio  | \$3.70  |
|     | If the solicitor is or ought to be familiar with the contents of the document or if it is not necessary to read all of it carefully, the Taxing Master shall allow such smaller amount as he thinks reasonable. No allowance shall be made for the solicitor perusing letters which he receives unless the Taxing Master considers there are special circumstances for doing so |         |
| 27. | Alternatively, for examining a document or checking a proof or print or examining an appeal book  |         |
|     | Solicitor, per quarter hour   | \$55.00 |
|     | Clerk, per quarter hour   | \$33.00 |
|     | <i>Service</i>  |         |
| 28. | Service of any document where necessary, and not able to be served by post  | \$54.00 |
|     | Or such charge as is reasonable having regard to the number of necessary attendances, the time taken, the distance travelled and any expense incurred   |         |
| 29. | Where by reason of the location of the person to be served it is proper to effect service through an agent, instead of an allowance for service—  |         |
|     | (a) for correspondence with the agent   | \$35.00 |
|     | (b) the amount actually and reasonably charged by the agent   |         |
|     | Where more than one attendance is necessary to effect service, or to ground an application for substituted service, the Taxing Master may make such further allowance under items 28 and 29 as he thinks reasonable   |         |
|     | For service out of Victoria, the Taxing Master shall make such allowance as he thinks reasonable  |         |
| 30. | Service of document on a party by filing or leaving at the office of his solicitor or other address for service, where that mode of service is necessary  | \$33.00 |

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31.	Service of document on a party by post or leaving at document exchange	\$18.00
	Only one fee for service shall be allowed where two or more documents are or could have been served together	
	<i>Attendances</i>	
32.	(a) On counsel with brief on trial of proceeding, including an assessment of damages or value or a trial before a special referee or an appeal	\$67.00
	(b) On counsel with any other brief or papers or to appoint consultation or conference (including all attendances to settle counsel's fees)	\$44.00
33.	(a) On consultation or conference with counsel	\$112.00
	(b) Where a consultation or conference occupies more than one half hour, if the Taxing Master thinks it reasonable, for each subsequent half hour	\$112.00
	(c) If the solicitor does not attend personally, the allowance shall be as the Taxing Master thinks reasonable, but not exceeding, for—	
	the first half hour	\$55.00
	each half hour thereafter	\$55.00
34.	On any application or attendance before a Judge, a Master or the Taxing Master, Listing Master, or Prothonotary, examination of a witness, discovery by oral examination, assessment of damages or value, trial or inquiry, trial of a proceeding or hearing of an appeal, where in list or likely to be heard	\$112.00
35.	(a) At trial or hearing, for each hour	\$227.00
	But, according to circumstances, not to exceed per day of six hours (including luncheon and dinner adjournments)	\$1088.00
	or,	
	If attended by clerk	\$542.00
	(b) To hear reserved judgment, for each half hour	\$112.00

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- (c) By appointment or on short or formal application to a Judge or Master or the Taxing Master, Listing Master or Prothonotary \$112.00
- 36. Where in the opinion of the Taxing Master the attendance of two principals or of a solicitor and clerk at trial is necessary, an additional allowance may be made not exceeding per day of six hours (including luncheon and dinner adjournments) \$1088.00
- 37. To settle judgment or order, per half hour \$112.00
- 38. In addition to reasonable expenses for travel and sustenance, allowance may be made for a solicitor travelling to a place more than 50 kilometres distant from his place of residence or business where—
  - (a) the journey was necessary and proper for the purpose of the proceeding and what was done by the solicitor could not have been done satisfactorily by an agent; and
  - (b) the solicitor was necessarily absent from his office, and for that time no charge could otherwise be made, and having regard to what other allowances may be made to the solicitor in the proceeding

Not exceeding per day \$1088.00

If the journey is not undertaken solely for the purpose of the proceeding, the Taxing Master may allow a proportion of the fee as he thinks reasonable
- 39. To file or lodge any document, to obtain an appointment from an officer of the Court, or to insert an advertisement or other attendance of a similar nature capable of performance by a junior clerk \$33.00
- 40. If the exercise of skill or legal knowledge is involved so as to require the personal attendance of the solicitor, per quarter hour \$55.00
  - Or, if attendance by solicitor's clerk, per quarter hour \$33.00

Or such larger amount as the Taxing Master thinks reasonable having regard to the importance or difficulty of the subject matter of attendance

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| 41. | Making an appointment or similar attendance by telephone, at the discretion of the Taxing Master           | \$11.00 |
| 42. | Arranging attendance of a witness or any attendance for which no other provision is made, per quarter hour | \$33.00 |
| 43. | Sending or receiving telex, telegram or facsimile documents  | \$33.00 |
|     | Or such larger amount as is reasonable in the circumstances having regard to the length                    |         |

*Correspondence*

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|-----|--|---------------------------|
| 44. | Letter making an appointment or forwarding document without explanation or the like  | \$15.00                   |
| 45. | Letter, ordinary   | \$29.00                   |
| 46. | Letter, special  | \$38.00                   |
|     | Or such amount as the Taxing Master thinks reasonable  |                           |
| 47. | Circular letter, after the first   | \$10.00                   |
|     | For each additional page after the first page, the photocopying charge shall apply   |                           |
|     | The above allowances include the standard surface rate of postage, but, if any communication is necessarily made by telex, telegram or transmission of a facsimile, the appropriate statutory charges may be allowed as a disbursement |                           |
| 48. | Where any agent is employed, for correspondence with the agent which the Taxing Master thinks reasonable, per quarter of the year  | \$55.00<br>to<br>\$227.00 |
|     | Or, if special or extensive, in the discretion of the Taxing Master.   |                           |