

Appendix A  
amended by  
S.R. Nos  
36/2011  
rule 24,  
149/2011  
rule 5.

**APPENDIX A**

**SCALE OF COSTS**

Scale of costs and fees which may be claimed by Australian lawyers and counsel as between party and party as well as between Australian lawyer and client.

If in any case the Court or registrar thinks that any item is inadequate or excessive, the Court or registrar may allow a greater or lesser sum than the scale provides.

If the scale of costs does not provide for any case, the Court or registrar may allow reasonable costs.

<i>Item</i>	<i>Particulars of Service</i>	<i>\$</i>
1.	Claim for debt, liquidated demand or claim arising from a motor vehicle collision for costs of repairs only or for total loss of vehicle only including all professional costs where the amount claimed is—	
	(a) Less than \$500	189
	(b) \$500 to less than \$5000	395
	(c) \$5000 to less than \$7500	485
	(d) \$7500 to less than \$20 000	583
	(e) \$20 000 to less than \$40 000	723
	(f) \$40 000 to less than \$70 000	871
	(g) \$70 000 and over	1041

*Item*     *Particulars of Service*  
*(Costs for items 2 to 80 are set out in Table 1)*

**Instructions**

2. Instructions to make, issue or oppose an application or summons or any notice of objection under the **Judgment Debt Recovery Act 1984** including instructions for any affidavit (not otherwise provided for).

**Institution of proceedings**

3. Complaint, including instructions to sue, letter before action, attendances on counsel, copies for service, issuing, and attendances on process server.

---

<i>Item</i>	<i>Particulars of Service</i>
<i>(Costs for items 2 to 80 are set out in Table 1)</i>	
4.	Consent of litigation guardian including preparation of memorandum, copies and obtaining signature of litigation guardian.
5.	Notices of defence to claim, counterclaim or third party notice including instructions to defend, perusal of claim, counterclaim or third party notice, reply, attendances on counsel, copies, filing and service.
6.	Counterclaim, third party notice, notice of contribution or any further pleading including instructions to issue, attendances on counsel, copies, filing and service.
7.	Perusal of notice of defence, counterclaim, third party notice or any other pleading, and notice of contribution.
<b>Particulars</b>	
8.	Request for particulars of any document including attendances on counsel, copies, filing, service and perusal of further particulars.
9.	Further and better particulars of any documents including perusal of request, attendances on counsel, copies, filing and service.
<b>View</b>	
10.	Attending view, including arranging view and attendance on counsel.
11.	If the attendance exceeds half an hour—for each quarter hour thereafter.
<b>Discovery</b>	
12.	Notice of discovery including filing and service.
13.	Perusal of affidavit of documents and inspection of documents.
14.	Affidavit of documents including instructions, attendances on counsel, copies, swearing, filing, service and production of documents for inspection.
15.	Notice to produce documents including filing and service.
<b>Interrogatories</b>	
16.	Interrogatories for examination including instructions, attendances on counsel, copies, filing, service and perusal of answers.

---

Magistrates' Court General Civil Procedure Rules 2010  
S.R. No. 140/2010

App. A

---

<i>Item</i>	<i>Particulars of Service</i>
	<i>(Costs for items 2 to 80 are set out in Table 1)</i>
17.	Answers to interrogatories including perusal of interrogatories, instructions, attendances on counsel, copies, swearing, filing and service.  <b>Brief to advise</b>
18.	Brief to advise including preparation of memorandum to counsel, attendances on counsel and perusal of advice.  <b>Notices, certificates, undertakings, etc.</b>
19.	Any necessary notice (including notices before proceeding), certificate (including certificates before proceeding), undertaking, consent, order, memorandum (not otherwise provided for) including copies, filing and service.
20.	Notice to admit including perusal of admissions, copies, filing and service.
21.	Admissions, including perusal of notice to admit, copies, filing and service.
22.	Offer of compromise or notice of acceptance of offer including copies, filing and service.  <b>Witnesses and expert witnesses</b>
23.	Subpoena including instructions, copies and issuing.
24.	Attendance on witness to arrange attendance to give evidence without subpoena, including reminders.
25.	Arranging examination or inspection by an expert witness and notifying party, supplying relevant documents to witness, obtaining and perusing report.
26.	Notifying party of examination or inspection arranged by opposite party.
27.	Statement of expert witness (pursuant to Rule 44.03) including instructions, filing and service.  <b>Applications</b>
28.	Application or summons or any notice under the <b>Judgment Debt Recovery Act 1984</b> including copies, issuing and affidavit of service.
29.	Application for an order under Rule 21.01 (in addition to item 1 if applicable) or 21.08 including copies and issuing.

---

---

<i>Item</i>	<i>Particulars of Service</i>
<i>(Costs for items 2 to 80 are set out in Table 1)</i>	
<b>Notice of objection</b>	
30.	Notice of objection under the <b>Judgment Debt Recovery Act 1984</b> including copies, issuing and affidavit of service.
<b>Affidavits</b>	
31.	Affidavit including attendances on counsel, copies, swearing, filing and service.
32.	Affidavit of service, including swearing and filing (not otherwise provided for).
<b>General preparation</b>	
33.	For work necessarily and properly done in preparing for hearing and not otherwise provided for, including— <ul style="list-style-type: none"><li>(a) taking instructions for examination of any party or witness;</li><li>(b) considering the facts and the law;</li><li>(c) attending on and corresponding with client;</li><li>(d) interviewing and corresponding with witnesses and taking proofs of their evidence;</li><li>(e) obtaining reports or advice from experts and maps, plans, photographs and models;</li><li>(f) making search in any public office and elsewhere for relevant documents;</li><li>(g) inspecting any property or place material to the proceeding;</li><li>(h) perusing relevant documents;</li><li>(i) general care and conduct of the proceeding.</li></ul>
<b>Pre-hearing conference</b>	
34.	Preparation including all necessary instructions, instructions for brief for counsel or brief notes for Australian lawyer, correspondence and perusals.
35.	Attendance at conference whether by counsel or Australian lawyer.
<b>Mediation</b>	
36.	Preparation including all necessary instructions, instructions for brief for counsel or brief notes for Australian lawyer, all necessary correspondence, perusals, etc.

---

Magistrates' Court General Civil Procedure Rules 2010  
S.R. No. 140/2010

App. A

---

<i>Item</i>	<i>Particulars of Service</i>
	<i>(Costs for items 2 to 80 are set out in Table 1)</i>
37.	Attending mediation by Australian lawyer, for first 4 hours or part thereof.
38.	For each subsequent hour.
39.	Attending mediation with counsel (where necessary) per hour.
40.	If Australian lawyer attends at a place more than 50 kilometres from his or her place of business, an additional fee may be allowed.
41.	The reasonable costs of a mediation held before the commencement of proceedings may be allowed.
	<b>Court attendance</b>
42.	Attendance at Court or upon magistrate or officer of the Court on application, summons, appeal or to hear reserved judgment.
43.	Attendance of Australian lawyer without counsel at a WorkCover directions hearing or at the hearing of an application for revocation of a direction of a conciliation officer.
44.	Attending WorkCover mentions.
45.	Attendance at Court on hearing—Australian lawyer without counsel for the first 6 hours (including any luncheon adjournment).
46.	If attendance at Court exceeds 6 hours—for each hour thereafter.
47.	Attendance at Court by Australian lawyer on hearing with counsel for the first 3 hours.
48.	If attendance exceeds 3 hours—for each hour thereafter.
	<b>Conference with counsel</b>
49.	Appointment and attendance per hour (when necessary).
	<b>Fees to counsel</b>
50.	To draw or settle any necessary document including notice before action, particulars of claim or defence (including special defence), counterclaim, interrogatories and medical panel referral documents including medical questions, section 65(6A) statements, lists of documents and submissions pursuant to the <b>Accident Compensation Act 1985</b> etc.
51.	To confer, prepare, view or consult—per hour.
52.	To advise on evidence or give opinion.

---

Magistrates' Court General Civil Procedure Rules 2010  
S.R. No. 140/2010

App. A

---

*Item*     *Particulars of Service*  
*(Costs for items 2 to 80 are set out in Table 1)*

---

53. Brief on hearing.
54. For each 6 hours or part thereof after the first six hours of hearing (including any luncheon adjournment).
55. Attending mediation, for the first 4 hours or part thereof.
56. For each subsequent hour.
57. Attending at WorkCover directions hearing.
- 57A. Attending at the hearing of an application for revocation of a direction of a conciliation officer.

**Documents**

58. Drawing any document or brief (where not otherwise provided for)—per folio.
59. Typing any document or brief (where not otherwise provided for)—per folio.
60. Copies—  
For the first 50 pages of photocopying in a proceeding, \$2.10 per page.  
For any photocopying after the first 50 pages in a proceeding, 64 cents per page.

**Perusals**

61. Of any document or part of a document (where not otherwise provided for)—per folio.
62. Examination or scanning any document which is not necessary to peruse—per folio.

**Correspondence**

63. Special letter.
64. Ordinary letter (including an agency letter).
65. Circular letter. After the first, postage may be claimed as a disbursement.

**Attendances**

66. Attendance—such as an attendance at the office of the registrar or on a process server or to serve or an attendance which is capable of being made by a clerk.

Magistrates' Court General Civil Procedure Rules 2010  
S.R. No. 140/2010

App. A

---

<i>Item</i>	<i>Particulars of Service</i>
	<i>(Costs for items 2 to 80 are set out in Table 1)</i>
67.	Attendance (personal or by telephone) of an Australian lawyer or managing clerk and involving the exercise of skill or legal knowledge—for each quarter hour.
68.	Attendance which does not involve the exercise of skill or legal knowledge—for each quarter hour.
	<b>Warrant, summons, etc.</b>
69.	Warrant to seize property or of delivery including instructions, preparation and issuing.
70.	Summons for oral examination, including instructions, preparation of summons and affidavit, issuing, arranging service, forwarding summons and affidavit to registrar with letter.
71.	Proceedings for attachment of debts including all professional costs.
72.	Summons for attachment of earnings, including instructions, preparation of summons, affidavit and Form 72A, issuing summons, arranging service, forwarding summons and affidavit to registrar with a letter (including affidavit of service).
73.	Form 72F, including preparation, filing and service.
74.	Order to attend or to give a statement under Rule 72.04 including preparation, issuing and arranging service.
75.	Registration of interstate judgment.
	<b>Service</b>
76.	For service of Court documents on each person to be served.
77.	For service of Court documents on each person to be served where service is effected by post or by leaving at a document exchange.
78.	For every necessary visit made in attempting service of Court documents and for each report of non-service where the time, date and number of visits attempting service are shown by affidavit.
79.	In addition to the abovementioned service fees an allowance at the rate of 64 cents for each 1 kilometre in respect of any distance measured both ways from the nearest court house or other building where the Court is held, or the residence of the person who served the court document, whichever is the closer, to the place of service or attempted service of the document.

---

---

*Item*     *Particulars of Service*  
*(Costs for items 2 to 80 are set out in Table 1)*

---

**Notes to items 76 to 79 inclusive:**

- A In these items ***Court documents*** include complaint, summons, application or other document used in a court proceeding.
- B A registrar, upon application made before service of any Court document, may fix and endorse on the document an amount representing an allowance calculated at 64 cents for each kilometre of the distance both ways by the shortest practicable route, from the nearest court house or other building where the Court is held, or the residence of the process server, whichever is the closer to the place of service and the Court in assessing costs on the hearing shall have regard to the amount so fixed and endorsed.
- C For service of 2 or more Court documents in the same proceeding on the same person who was or could have been served at the same time and place, only one service fee shall be allowed.
- D For service of a Court document in the same proceeding on 2 or more persons who were or could have been served at the same time and place, only one service fee shall be allowed.
- E No costs shall be allowed for service of any Court document where service has been effected by an employee of the plaintiff or defendant, unless the Court is satisfied by evidence on oath or affidavit that the employee is exclusively engaged on the service of legal process for the employer.

**Substituted service**

- 80. Order for substituted service including all professional costs.
- 81. If an advertisement in lieu of service is ordered, the necessary and reasonable costs of the advertisement in addition.

**Witnesses' expenses**

- 82. Subject to item 82A, witnesses giving evidence in an expert or professional capacity, up to \$250 per hour or part thereof, but not to exceed \$1754 per day.  
Other witnesses—up to \$63 per hour or part thereof, but not to exceed \$313 per day.



**App. A**

---

<i>Item</i>	<i>Particulars of Service</i>
	<i>(Costs for items 2 to 80 are set out in Table 1)</i>
82A.	Witnesses giving evidence in the capacity of motor vehicle loss assessors, up to \$130 per hour or part thereof, but not to exceed \$715 per day.
	<b>Circuit fees</b>
83.	(a) A circuit fee may be charged by counsel where the claim or the counterclaim is \$42 637 or more. No circuit fee may be charged where the claim or the counterclaim is less than \$42 637, unless the Court otherwise orders;
	(b) A circuit fee must be calculated on the same time basis as a fee for counsel on the hearing of a proceeding, namely, for each 6 hours or part thereof after the first 6 hours of hearing (including any luncheon adjournment);
	(c) Any circuit fee allowed under paragraph (a) or (b) must be in accordance with the Schedule 1 to Appendix A of the Scale of Costs in Chapter I of the Rules of the County Court unless the circuit town appears in Table 2, in which case Table 2 applies. Whether or not Appendix A or Table 2 applies, not more than one circuit fee must be allowed in any one day in relation to any proceeding or matter;
	(d) A circuit fee may be charged by a mediator who conducts a mediation following a referral of a proceeding or part of a proceeding to mediation. A circuit fee may also be charged for a pre-issue mediation held in accordance with a Practice Direction. A circuit fee may only be charged by a mediator with the agreement of the parties to the mediation.

---

**TABLE 1**

*(Costs in dollars for items 2 to 80)*

<i>Item</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>	<i>E</i>	<i>F</i>	<i>G</i>
	<i>Less than</i>	<i>\$500</i>	<i>\$5000</i>	<i>\$7500</i>	<i>\$20 000</i>	<i>\$40 000</i>	<i>\$70 000</i>
	<i>\$500</i>	<i>to less</i>	<i>to less</i>	<i>to less</i>	<i>to less</i>	<i>to less</i>	<i>and over</i>
		<i>than</i>	<i>than</i>	<i>than</i>	<i>than</i>	<i>than</i>	
		<i>\$5000</i>	<i>\$7500</i>	<i>\$20 000</i>	<i>\$40 000</i>	<i>\$70 000</i>	
2.	65	65	65	98	121	145	169
3.	189	396	486	584	724	873	1044
4.	n/a	n/a	142	185	189	201	214
5.	88	187	232	276	345	415	498
6.	101	208	255	304	378	455	545
7.	46	46	46	46	46	46	46
8.	66	148	180	217	269	321	381
9.	60	125	149	180	223	270	323
10.	n/a	n/a	151	210	227	255	287
11.	n/a	n/a	17	43	43	43	43
12.	43	70	88	103	131	153	177
13.	53	100	118	147	183	219	257
14.	103	221	270	323	408	482	572
15.	43	66	88	103	131	153	177
16.	86	176	214	255	320	380	441
17.	113	241	306	368	455	548	649
18.	n/a	n/a	151	210	227	255	286
19.	42	75	89	105	132	154	186
20.	113	113	113	154	195	235	281
21.	113	113	113	154	195	236	281
22.	98	98	98	144	180	217	257
23.	21	36	50	50	65	78	93

Magistrates' Court General Civil Procedure Rules 2010  
S.R. No. 140/2010

**App. A**

<i>Item</i>	<i>A</i>	<i>B</i> <i>\$500</i> <i>to less</i> <i>than</i> <i>\$5000</i>	<i>C</i> <i>\$5000</i> <i>to less</i> <i>than</i> <i>\$7500</i>	<i>D</i> <i>\$7500</i> <i>to less</i> <i>than</i> <i>\$20 000</i>	<i>E</i> <i>\$20 000</i> <i>to less</i> <i>than</i> <i>\$40 000</i>	<i>F</i> <i>\$40 000</i> <i>to less</i> <i>than</i> <i>\$70 000</i>	<i>G</i> <i>\$70 000</i> <i>and over</i>
24.	20	21	21	36	40	47	55
25.	61	62	62	95	118	142	169
26.	13	13	13	46	59	70	85
27.	83	150	210	251	316	373	432
28.	35	82	89	101	124	148	175
29.	39	39	39	39	39	39	39
30.	38	38	38	38	38	38	38
31.	86	176	214	255	320	378	440
32.	36	36	36	36	36	36	36
33.	343	1122	1384	1663	2078	3004	4671
34.	84	254	339	410	508	612	699
35.	149	288	411	508	635	767	892
36.	84	254	339	410	499	598	687
37.	149	288	411	508	626	751	878
38.	43	82	101	119	155	186	218
39.	43	82	101	119	155	186	218
40.			<i>refer to item 40</i>				
41.			<i>refer to item 41</i>				
42.	89	198	245	297	371	445	532
43.	149	288	412	510	640	770	894
44.	135	135	135	135	135	135	135
45.	316	635	957	1148	1436	1716	1996
46.	67	125	149	183	227	273	319
47.	144	245	305	368	455	548	633
48.	43	82	101	119	148	180	212
49.	43	89	112	143	179	215	251

Magistrates' Court General Civil Procedure Rules 2010  
S.R. No. 140/2010

App. A

<i>Item</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>	<i>E</i>	<i>F</i>	<i>G</i>
	<i>Less than \$500</i>	<i>\$500 to less than \$5000</i>	<i>\$5000 to less than \$7500</i>	<i>\$7500 to less than \$20 000</i>	<i>\$20 000 to less than \$40 000</i>	<i>\$40 000 to less than \$70 000</i>	<i>\$70 000 and over</i>
50.	56	104	136	157	204	243	282
51.	56	104	136	157	204	243	282
52.	n/a	n/a	180	272	294	329	492
53.	370	832	1121	1344	1677	2015	2200
54.	250	555	744	894	1121	1338	1564
55.	153	298	424	523	656	788	920
56.	46	84	103	123	166	195	230
57.	156	302	431	532	669	803	963
57A.	532	532	532	532	532	532	532
58.	3.9	9.5	10	10.5	12	14	19
59.	2.4	2.4	2.4	2.4	2.4	2.4	2.4
60.			<i>refer to item 60</i>				
61.	2.4	2.4	2.4	2.4	2.4	2.4	2.4
62.	1.3	1.3	1.3	1.3	1.3	1.3	1.3
63.	36	36	36	36	36	36	36
64.	25	25	25	25	25	25	25
65.	14	14	14	14	14	14	14
66.	25	25	25	25	25	25	25
67.	43	43	43	43	43	43	43
68.	21	21	21	21	21	21	21
69.	49	100	118	148	186	223	262
70.	51	119	145	160	202	245	286
71.	144	290	325	388	485	579	758
72.	257	365	392	492	615	737	966
73.	43	75	89	105	132	154	178
74.	43	75	89	105	132	154	178

Magistrates' Court General Civil Procedure Rules 2010  
S.R. No. 140/2010

App. A

	<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>	<i>E</i>	<i>F</i>	<i>G</i>
<i>Item</i>	<i>Less than \$500</i>	<i>\$500 to less than \$5000</i>	<i>\$5000 to less than \$7500</i>	<i>\$7500 to less than \$20 000</i>	<i>\$20 000 to less than \$40 000</i>	<i>\$40 000 to less than \$70 000</i>	<i>\$70 000 and over</i>
75.	65	65	65	98	98	98	98
76.	62	62	62	62	62	62	62
77.	12	12	12	12	12	12	12
78.	42	42	42	42	42	42	42
79.	<i>refer to item 79</i>						
80.	127	229	273	322	405	479	556

**TABLE 2**  
**CIRCUIT FEES**

<i>Circuit town</i>	<i>Fee for first six hours</i>	<i>Further fee for further six hours or part thereafter</i>
Ararat	440	291
Benalla	466	308
Colac	369	244
Echuca	466	308
Mansfield	369	244
Latrobe Valley	345	230
Portland	508	340
Stawell	466	308
Swan Hill	466	308

---

**APPENDIX B**

**CIVIL REGISTRY COURTS**

Ararat	Hamilton	Orbost
Bacchus Marsh	Heidelberg	Ouyen
Bairnsdale	Hopetoun	Portland
Ballarat	Horsham	Ringwood
Benalla	Kerang	Robinvale
Bendigo	Korumburra	St Arnaud
Broadmeadows	Kyneton	Sale
Castlemaine	Latrobe Valley	Seymour
Cobram	Mansfield	Shepparton
Colac	Maryborough	Stawell
Collingwood	Melbourne	Sunshine
Corryong	Mildura	Swan Hill
Dandenong	Moe	Wangaratta
Dromana	Moorabbin Justice Centre	Warrnambool
Echuca	Myrtleford	Werribee
Frankston	Nhill	Wodonga
Geelong	Omeo	Wonthaggi

---