

House of Representatives

Supplementary Order Paper

Tuesday, 2 October 2001



Hon Matt Robson, in Committee, to move the following amendments:

Clause 2

To omit from line 5 on page 1 the expression "**21 September 2001**", and substitute the words "the day after the date on which this Act receives the Royal assent".

Clause 5

To add to *subclause (1)* (after line 18 on page 3) the following paragraph:

"(bc) providing for the manner in which an application for the exercise of a power specified in **paragraph (ba)** or **paragraph (bab)** is to be made, including, without limitation, requiring such an application to be in a form approved for the purpose by the chief executive of the Department for Courts:".

To omit from line 21 on page 3 the word "of" where it first occurs, and substitute the word "for".

Clause 8

To omit from *new section 100A(dab)(i)* the expression "**paragraph (d)**" (line 30 on page 5), and substitute the expression "**paragraph (ba)**".

To add (after line 7 on page 6) the following paragraph and subclause:

"(db) providing for the manner in which an application for the exercise of a power specified in **paragraph (ba)** or **paragraph (dab)** is to be made, including, without limitation, requiring such an application to be in a form approved for the purpose by the chief executive of the Department for Courts:".

(2) Section 100A of the principal Act is amended by adding, as subsection (2), the following subsection:

“(2) No fee is payable for an application for the exercise of a power specified in **subsection (1)(ba) or (dab).**”

Explanatory note

The amendment to *clause 2* changes the commencement of the Bill from 21 September 2001 to the day after the date of Royal assent.

The SOP amends *clauses 5 and 8* by inserting provisions authorising the making of regulations governing the manner in which applications for waivers, reductions, postponements, or refunds of fees are to be made in the District Court as well as in the High Court and in the Court of Appeal.

Clause 8 is amended to provide that no fees are payable for applications for waivers, reductions, postponements, or refunds of fees otherwise payable in the High Court or the Court of Appeal. This aligns the position with *clause 5*, which already requires applications of that nature to be free of charge.
