

Frequently Asked Questions

Changes to civil court fee regulations (from 1 October 2018)



General Information

When will the new regulations take effect?

The Supreme Court of Victoria's first day of business under the new regulations will be Monday, 1 October 2018. The regulations will apply to new and existing proceedings.

Where can I find the new regulations?

You can view the new fee regulations at www.supremecourt.vic.gov.au/forms-fees-and-services/fees.

Where can I find the new fees lists?

You can find the new fees lists at www.supremecourt.vic.gov.au/forms-fees-and-services/fees.

Where can I get more information?

You can view more information at www.supremecourt.vic.gov.au/forms-fees-and-services/fees.

What is the difference between corporate, standard and concession rates?

Typically, the standard fee is 50% of the corporate fee and the concession fee is 50% of the standard fee, concession fees are capped to a maximum of \$300. For further details on specific fees, please see our new fees lists at <https://www.supremecourt.vic.gov.au/forms-fees-and-services/fees>.

How do I know which fee category I am eligible for and what evidence do I need to provide?

Please refer to the fee eligibility table available on the [Supreme Court of Victoria's](http://www.supremecourt.vic.gov.au) website and on the [RedCrest](http://www.redcrest.com.au) homepage.

If you are required to provide evidence of fee category eligibility in accordance with the regulations, this is set out in the fee eligibility table for you. If applicable, you can find the 'Application for Standard or Concession Fees' form or the 'Lodging Fee' form at <https://www.supremecourt.vic.gov.au/forms-fees-and-services/fees>.

Will I have to prove my fee category eligibility every time I file a document with a filing fee?

Fee category eligibility applies for the duration of your proceeding unless your circumstances change. For example, you no longer hold a Health Care Card or your business turn over increases. If your circumstances change, it is your responsibility to notify the Supreme Court of Victoria.

My circumstances have changed; can I change my fee category?

Yes. Please [contact](#) the appropriate Supreme Court registry for further advice.

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If there are multiple parties, which fee category applies?

If one or more of the parties is a corporate fee payer, the corporate fee applies.

If none of the parties is a corporate fee payer but one or more of the parties is a standard fee payer, the standard fee applies.

If all of the multiple parties are concession fee payers then the concession fee applies.

How do I select my fee category when filing in RedCrest?

'How To' videos and quick guides will be made available on the RedCrest homepage in preparation for 1 October, 2018 at <https://www.redcrest.com.au/eservices/home.page.2>.

I selected the wrong fee category when filing in RedCrest. Can I amend it?

Please ensure you select the correct fee category when submitting a filing. You will not be able to make amendments to the fee category you have selected for a filing once it has been accepted by the appropriate registry. If the registry are still reviewing your document, please contact the relevant registry as soon as possible and ask them to reject it so that you can amend the fee category and resubmit your filing.

Am I eligible for a fee waiver?

Fee waiver eligibility is impacted by the new regulations in that there is a new automatic waiver applicable to certain categories of fee payers. An application for a waiver based upon the grounds of financial hardship continues to apply. Please refer to the fee eligibility table available on the [Supreme Court website](#) and on the [RedCrest](#) homepage.

You can find the new 'Application for Waiver of Court Fees' form at <https://www.supremecourt.vic.gov.au/law-and-practice/court-of-appeal/application-for-waiver-of-court-fees>.

Common Law and Commercial Court Fees

What are the main changes to Common Law and Commercial Court filing fees?

1. The fee for a Summons for Directions or a Default Judgment is now included in the commencement fee.
2. Winding up applications now have a unique commencement fee.
3. There are new fees for nomination of a liquidator and warrants as well as hearing fees for second and subsequent interlocutory application hearing days.
4. There are significant changes to trial and hearing fees including when they are due.

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Court of Appeal Fees

What are the main changes to Court of Appeal filing fees?

Court of Appeal fees include the new fee categories as well as distinct fees for matters arising from the Commercial Court.

Probate Fees

What is the fee for filing an application for Probate, Letters of Administration or Resealing a Foreign Grant?

The filing fee is calculated on a sliding scale based on the gross value of the deceased's Victorian estate. Only the standard fee category is applicable.

Will any additional documentation be required when filing an application?

A 'Lodging Fee' form must be completed and filed with every application. The applicant or their solicitor must complete the form by selecting the appropriate fee payable.

When is a corporate, standard or concession fee applicable when filing a document in the Probate Office?

When filing a Summons in a Probate proceeding, late filing fees and searching a court file or record. Otherwise, the standard fee applies.

Cost Court Fees

What are the main changes to Costs Court filing fees?

1. All proceedings commenced in the Costs Court will attract filing fees, including both solicitor-client and party-party taxation proceedings.
2. Commencement fees are based on the value of the claim, as opposed to the originating jurisdiction. Parties will need to file a completed 'Costs Court Hearing Information Form', for both party-party and solicitor-client matters, at the time of issuing the proceeding.
3. Hearing fees have been introduced for matters not resolved upon first listing.

Will there be a hearing fee payable for an adjourned callover?

No, adjourned callovers will not attract any further fee.

Will there be a hearing fee payable for an in chambers assessment?

If an in chambers assessment is listed as the first event, no additional fee is payable. If an in chambers assessment follows a mediation that fails to resolve the costs dispute (for example, where the respondent fails to appear at the mediation) a fee is payable.

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Will there be a hearing fee payable for a Costs Court mediation?

A hearing fee will only be payable for a mediation where that listing occurs following a preliminary hearing or in chambers assessment. A hearing fee will not be payable for mediations directly listed at a callover.

Will hearing fees be payable if a taxation or preliminary hearing is presently part heard and adjourned to a date after 30 September?

A hearing fee will only be payable for subsequent days of a part heard taxation or preliminary hearing where that taxation or preliminary hearing was listed following a mediation or in chambers assessment. A hearing fee will not be payable for any part heard taxation or preliminary hearing that was directly listed at a callover.