

## **SUPREME COURT OF THE AUSTRALIAN CAPITAL TERRITORY**

### **Notice to practitioners**

#### ***Payment of setting down fee***

1. As noted in the Notice to Practitioners dated 30 January 2012 payment of a setting down fee is payable when matters in the Supreme Court are given a date for hearing. A setting down fee is also payable for the allocation of a hearing date to matters in the Court of Appeal.
2. To ensure the efficient listing of matters in the Supreme Court and the Court of Appeal, from 1 March 2012, the court will require plaintiffs to pay the setting down fee prior to the listing hearing.
3. If the fee has not been paid the listing hearing will be adjourned to another date to allow for the setting down fee to be paid. If the setting down fee has not been paid before the date of the adjourned listing hearing the matter may be stood out of the list until the fee is paid. Upon the payment of the setting down fee the matter will be listed for a listing on the next available date.
4. For non-criminal appeals to the Supreme Court the setting down fee must be paid prior to the settling of the index to the appeal book when the appeal is to be given a hearing date. If the fee has not been paid by time the appeal index is settled the matter will be stood out of the list until the fee is paid. Upon payment of the fee the matter will be relisted and given a date for hearing the appeal.
5. For non-criminal appeals to the Court of Appeal the fee must be paid at least 7 days before the Court of Appeal call-over in which the matter is listed. If the fee is not paid the appeal will be removed from the call-over and placed in the next Court of Appeal call-over.
6. Where parties are given leave by the court to approach the registry directly for a hearing date the registry will not list the matter for hearing until the setting down fee has been paid.
7. If a matter is listed for hearing other than at a listing hearing or through the registry and a party is required to pay a setting down fee, the fee must be paid within 48 hours of the matter being given a hearing date. If the fee is not paid within 48 hours the court may vacate the hearing date without further notice.

8. Where a party is seeking a waiver in relation to the setting down fee the application for fee waiver must be filed with the court at least one week prior to the time specified above for payment of the setting down fee. Applications for fee waivers may be found on the court website at [www.courts.act.gov.au](http://www.courts.act.gov.au)

Michael Edwards  
Acting Registrar  
ACT Supreme Court

17 February 2012