

Authorised Version

**Victorian Civil and Administrative Tribunal (Fees)
Regulations 2016**

S.R. No. 75/2016

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Authorised Version

STATUTORY RULES 2016

S.R. No. 75/2016

Victorian Civil and Administrative Tribunal Act 1998

Victorian Civil and Administrative Tribunal (Fees) Regulations 2016

The Governor in Council makes the following Regulations:

Dated: 28 June 2016

Responsible Minister:

MARTIN PAKULA
Attorney-General

ANDREW ROBINSON
Clerk of the Executive Council

1 Objectives

The objectives of these Regulations are to prescribe—

- (a) fees payable for the commencement and hearing of proceedings in the Victorian Civil and Administrative Tribunal; and
- (b) fees payable for—
 - (i) the issuing of warrants and witness summonses; and
 - (ii) inspection of the register; and
 - (iii) the provision of ancillary services by the Victorian Civil and Administrative Tribunal; and
- (c) other matters relating to fees payable under the **Victorian Civil and Administrative Tribunal Act 1998**.

2 Authorising provision

These Regulations are made under section 161 of the **Victorian Civil and Administrative Tribunal Act 1998**.

3 Commencement

These Regulations come into operation on 1 July 2016.

4 Revocation

The following Regulations are **revoked**—

- (a) the Victorian Civil and Administrative Tribunal (Fees) Regulations 2013¹;
- (b) the Victorian Civil and Administrative Tribunal (Fees) Amendment Regulations 2013²;
- (c) the Victorian Civil and Administrative Tribunal (Fees) Amendment Regulations 2015³;
- (d) the Victorian Civil and Administrative Tribunal (Fees) Further Amendment Regulations 2015⁴;
- (e) the Victorian Civil and Administrative Tribunal (Fees) Amendment (Powers of Attorney) Regulations 2015⁵.

5 Definitions

(1) In these Regulations—

affected family member has the same meaning as it has in the **Family Violence Protection Act 2008**;

commencement, in relation to a proceeding, includes the lodgement of any of the following—

- (a) an application;

- (b) a claim;
- (c) a counterclaim;
- (d) a third party notice;
- (e) any other originating process;

complex case means a proceeding that the principal registrar has determined to be a complex case under regulation 6;

concession fee payer means a person who holds a health care card within the meaning of the Social Security Act 1991 of the Commonwealth;

corporate fee payer means a person other than a standard fee payer or a concession fee payer;

dwelling has the same meaning as it has in the Victoria Planning Provisions in relation to the use of land;

family violence has the same meaning as it has in the **Family Violence Protection Act 2008**;

hearing includes any accompanied site visit or inspection, but does not include any of the following—

- (a) a compulsory conference;
- (b) a directions hearing;
- (c) a mediation;
- (d) a practice day hearing;

major case means a proceeding entered into the Major Cases List in accordance with regulation 7;

protected person has the same meaning as it has in the **Family Violence Protection Act 2008**;

standard fee payer means the following—

- (a) a natural person other than a natural person acting in the capacity of a statutory office holder;
- (b) any other person or entity that has—
 - (i) as its whole or dominant purpose a charitable, benevolent, or philanthropic purpose, other than a school or a government body; or
 - (ii) a turnover of less than \$200 000 in the financial year before the financial year in which the fees are to be paid;

taxing Act has the same meaning as it has in Schedule 1 to the Act;

the Act means the **Victorian Civil and Administrative Tribunal Act 1998**;

VicSmart proceeding means a proceeding that relates to a VicSmart permit application for the purposes of a planning scheme approved under the **Planning and Environment Act 1987**;

Victoria Planning Provisions has the same meaning as it has in the **Planning and Environment Act 1987**.

- (2) For the purposes of paragraph (b)(ii) of the definition of *standard fee payer*, if the person or entity has not been in operation for a full financial year, it is taken to have a turnover of less than \$200 000 if—

- (a) it certifies that it expects to have a turnover of less than \$200 000 in its first full financial year of operation; and
- (b) provides any documents required by the principal registrar to support the certification under paragraph (a).

6 Complex case

At any time, the principal registrar may determine that a proceeding is a complex case, having regard to the following—

- (a) whether the proceeding relates to an occupational licensing, registration or disciplinary matter;
- (b) whether the hearing of the proceeding is likely to take 2 or more days;
- (c) whether an expert witness is giving or is likely to give evidence in the proceeding;
- (d) whether there are 3 or more parties to the proceeding, including any parties that have joined the proceeding after lodgement;
- (e) whether a substantial volume of documentary evidence has been, or is likely to be, filed in the proceeding;
- (f) whether more than one member has been, or is likely to be, appointed to hear the proceeding;
- (g) whether a presidential member has been, or is likely to be, appointed to hear the proceeding.

7 Major case

- (1) At the commencement of a proceeding arising under the following, the applicant may elect to have the proceeding entered into the Major Cases List—

- (a) section 77, 79, 80 or 87A of the **Planning and Environment Act 1987**;
 - (b) section 33(1) or 33A(1) of the **Environment Protection Act 1970**.
- (2) At any time after the commencement of a proceeding arising under the following, the applicant for the permit or the works approval that is the subject of the proceeding may pay a fee of 165 fee units and elect to have the proceeding entered into the Major Cases List—
- (a) section 82 or 82B of the **Planning and Environment Act 1987**;
 - (b) section 33B of the **Environment Protection Act 1970**.

8 Fees

- (1) The fees set out in Schedule 1 are payable at the Tribunal as specified in that Schedule and in accordance with this regulation.
- (2) For a corporate fee payer, the fee for an item specified in column 2 of Schedule 1 is the amount specified in the corresponding entry of column 3 of Schedule 1.
- (3) Subject to subregulation (4), for a standard fee payer, the fee for an item specified in column 2 of Schedule 1—
 - (a) in respect of a proceeding that is not a major case, is 70 per cent of the amount specified in the corresponding entry of column 3 of Schedule 1, rounded to the nearest 10 cents; and
 - (b) in respect of a major case, is the amount specified in the corresponding entry of column 3 of Schedule 1.

- (4) Despite subregulation (3), no fee is payable by a standard fee payer in respect of a proceeding under section 89(5)(a) of the **Equal Opportunity Act 2010**.
- (5) Subject to subregulation (6), for a concession fee payer, the fee for an item specified in column 2 of Schedule 1—
- (a) in respect of a proceeding that is not a major case is the lesser of the following—
 - (i) 35 per cent of the amount specified in column 3 of Schedule 1 for the relevant item, rounded to the nearest 10 cents;
 - (ii) for the period commencing 1 July 2016 and ending 30 June 2017, \$150.00;
 - (iii) for the period commencing 1 July 2017, 11 fee units; and
 - (b) in respect of a major case, is the amount specified in the corresponding entry of column 3 of Schedule 1.
- (6) Despite subregulation (5), no fee is payable by a concession fee payer in respect of a proceeding that is—
- (a) allocated to the residential tenancies division; or
 - (b) allocated to the civil division and is for a specified sum that is not more than \$15 000; or
 - (c) a proceeding under section 89(5)(a) of the **Equal Opportunity Act 2010**.

9 Proceeding commenced under more than one enactment

Only one fee is payable, which is the higher or highest of the applicable fees if—

- (a) a proceeding is commenced under—
 - (i) more than one enabling enactment; or
 - (ii) more than one provision of an enabling enactment; or
- (b) an item for which a fee is payable under Schedule 1 can be described by more than one of the specifications in column 2 of Schedule 1.

10 Time for payment of hearing fee

Any fee payable under Part 3 of Schedule 1 must be paid by 4.30 p.m. on the day before the day of the hearing to which the fee relates.

11 Inspection of register of proceedings

For the purposes of section 144(4) of the Act, the prescribed fee—

- (a) for a person other than a concession fee payer, is 5 fee units; and
- (b) for a concession fee payer, is 1.9 fee units.

12 Principal registrar's certificate

For the purposes of section 145(2) of the Act, the prescribed fee—

- (a) for a person other than a concession fee payer, is 5.2 fee units; and
- (b) for a concession fee payer, is 2 fee units.

13 Inspection of proceeding files

For the purposes of section 146(3) of the Act, the prescribed fee—

- (a) for a person who is not a party to the proceeding, to inspect a proceeding file—
 - (i) for a person other than a concession fee payer, is 8·1 fee units; and
 - (ii) for a concession fee payer, is 3 fee units; and
- (b) for the provision by the principal registrar of a copy of a document from a proceeding file, is 60 cents per page.

14 Fee for issue of a witness summons

The prescribed fee for the issue of a witness summons under the Act or any enabling enactment—

- (a) for a person other than a concession fee payer, is 1·6 fee units; and
- (b) for a concession fee payer, is \$8.00.

15 Reduction, waiver, postponement, remission or refund of fees

- (1) For the purposes of section 132(1) and (1A) of the Act, each of the following is a prescribed ground—
 - (a) a fee in relation to a proceeding has been paid more than once;
 - (b) a person has paid the fee payable by a standard fee payer but is eligible to pay the fee payable by a concession fee payer;
 - (c) a person has paid the fee payable by a corporate fee payer but is eligible to pay the fee payable by a standard fee payer or a concession fee payer;

- (d) the fee is payable in relation to a proceeding allocated to the residential tenancies division that arises in the context of family violence;
 - (e) the principal registrar considers there are special reasons for doing so.
- (2) For the purposes of subregulation (1)(d), a proceeding arises in the context of family violence if at least one of the following applies—
- (a) the applicant is a protected person or an affected family member;
 - (b) the applicant has a letter from an organisation stating that the organisation is providing the applicant with assistance as a consequence of family violence;
 - (c) a family member of the applicant has been charged with an offence arising from conduct that would constitute family violence;
 - (d) the principal registrar is otherwise satisfied that the applicant is a person affected by family violence.

16 Transitional provisions—proceedings commenced before 1 July 2016

- (1) A fee may be payable under these Regulations in relation to any proceeding in the Tribunal that has commenced, but is not completed, before 1 July 2016.
- (2) Despite subregulation (1), if, before 1 July 2016—
 - (a) a fee has already been paid in relation to a corresponding item under either of the following, a second or higher fee is not payable in relation to a proceeding referred to in subregulation (1)—

- (i) Schedule 1 to the Victorian Civil and Administrative Tribunal (Fees) Interim Regulations 2012⁶;
 - (ii) Schedule 1 to the Victorian Civil and Administrative Tribunal (Fees) Regulations 2013; or
- (b) a fee waiver has been granted under section 132 of the Act in respect of a fee, that waiver applies to any corresponding fee in relation to a proceeding referred to in subregulation (1).

Schedule 1—Fees

Regulation 8

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Item No.</i>	<i>Enactment</i>	<i>Fee payable</i>

Part 1—Fee for commencement of a proceeding

1. No fee is payable for the commencement of a proceeding under the following enabling enactments or provisions of enabling enactments—
 - Assisted Reproductive Treatment Act 2008**
 - Children, Youth and Families Act 2005**
 - Disability Act 2006**, except section 45
 - Equal Opportunity Act 2010**, except section 89(5)(a)
 - Freedom of Information Act 1982**, applications under section 50 if—
 - (a) the application is for the review of a deemed decision under section 49J or 53 refusing to grant access to a document; or
 - (b) the applicant is a natural person and the document to which access is sought contains information relating to the applicant's personal affairs
 - Guardianship and Administration Act 1986**
 - Health Records Act 2001**
 - Medical Treatment Act 1988**, section 5C
 - Mental Health Act 2014**
 - Powers of Attorney Act 2014**
 - Privacy and Data Protection Act 2014**
 - Public Health and Wellbeing Act 2008**, sections 122 and 204

Victorian Civil and Administrative Tribunal (Fees) Regulations 2016
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Schedule 1—Fees

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Item No.</i>	<i>Enactment</i>	<i>Fee payable</i>
	Racial and Religious Tolerance Act 2001	
	Residential Tenancies Act 1997 , Part 10	
	Supported Residential Services (Private Proprietors) Act 2010 , sections 105 and 121.	
2.	For the commencement of a proceeding under the following enabling enactments—	
	Landlord and Tenant Act 1958 , Part V	
	Motor Car Traders Act 1986 , section 45	
	Residential Tenancies Act 1997 , except Part 10	
	Supported Residential Services (Private Proprietors) Act 2010 , section 123	6.3 fee units.
3.	For the commencement of a proceeding under the following enabling enactments—	
	Building Act 1993 , except sections 25J and 182A, Division 12 of Part 12A and clause 10(3) and (4) of Schedule 7	
	Company Titles (Home Units) Act 2013	
	Estate Agents Act 1980 , sections 56A(4) and 56B(1)	
	House Contracts Guarantee Act 1987	
	Housing Act 1983	
	Owner Drivers and Forestry Contractors Act 2005	
	Retirement Villages Act 1986	
	Sale of Land Act 1962 , section 44	
	Subdivision Act 1988 , Part 5	
	Water Act 1989 , section 19	47 fee units.
4.	For the commencement of a proceeding under the following enabling enactments—	
	Accident Compensation Act 1985	

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Item No.</i>	<i>Enactment</i>	<i>Fee payable</i>
	Accident Towing Services Act 2007	
	Adoption Act 1984 , section 129A	
	Agricultural and Veterinary Chemicals (Control of Use) Act 1992	
	Architects Act 1991	
	Associations Incorporation Reform Act 2012	
	Back to Work Act 2015	
	Biological Control Act 1986	
	Births, Deaths and Marriages Registration Act 1996	
	Building Act 1993 , sections 25J and 182A, Division 12 of Part 12A and clause 10(3) and (4) of Schedule 7	
	Bus Safety Act 2009	
	Cemeteries and Crematoria Act 2003	
	Children's Services Act 1996	
	Conveyancers Act 2006 , sections 33, 34, 146 and 187	
	Co-operatives National Law (Victoria)	
	Country Fire Authority Act 1958	
	Dairy Act 2000	
	Dangerous Goods Act 1985	
	Disability Act 2006 , section 45	
	Domestic Animals Act 1994	
	Drugs, Poisons and Controlled Substances Act 1981	
	Education and Care Services National Law (Victoria)	

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Victorian Civil and Administrative Tribunal (Fees) Regulations 2016
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Schedule 1—Fees

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Item No.</i>	<i>Enactment</i>	<i>Fee payable</i>
	<p>Education and Training Reform Act 2006, Division 14 of Part 2.6 and Part 4.8</p> <p>Electoral Act 2002</p> <p>Electricity Safety Act 1998</p> <p>Emergency Management Act 1986</p> <p>Emergency Services Superannuation Act 1986</p> <p>Equal Opportunity Act 2010, section 89(5)(a)</p> <p>Equipment (Public Safety) Act 1994</p> <p>Estate Agents Act 1980, except sections 56A(4) and 56B(1)</p> <p>Firearms Act 1996, section 182</p> <p>Fisheries Act 1995</p> <p>Freedom of Information Act 1982, except applications under section 50 if—</p> <p>(a) the application is for the review of a deemed decision under section 49J or 53 refusing to grant access to a document; or</p> <p>(b) the applicant is a natural person and the document to which access is sought contains information relating to the applicant's personal affairs</p> <p>Fundraising Act 1998</p> <p>Gas Safety Act 1997</p> <p>Health Practitioner Regulation National Law (Victoria) Act 2009</p> <p>Health Practitioner Regulation National Law (Victoria)</p> <p>Health Services Act 1988, sections 57C and 110</p> <p>Liquor Control Reform Act 1998</p>	

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<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Item No.</i>	<i>Enactment</i>	<i>Fee payable</i>
	Livestock Disease Control Act 1994	
	Local Government Act 1989 , except sections 183, 185 and 185AA	
	Major Sporting Events Act 2009	
	Meat Industry Act 1993 , section 24	
	Metropolitan Fire Brigades Act 1958	
	Motor Car Traders Act 1986 , except section 45	
	Occupational Health and Safety Act 2004	
	Owners Corporations Act 2006 , section 191	
	Parliamentary Salaries and Superannuation Act 1968	
	Pharmacy Regulation Act 2010 , section 62	
	Pipelines Act 2005 , sections 64, 83 and 182	
	Prevention of Cruelty to Animals Act 1986 , section 33	
	Private Security Act 2004 , Part 7	
	Professional Boxing and Combat Sports Act 1985	
	Property Law Act 1958 , Part IV	
	Public Health and Wellbeing Act 2008 , section 207	
	Racing Act 1958	
	Rail Safety (Local Operations) Act 2006 , Part 7	
	Rail Safety National Law (Victoria)	
	Relationships Act 2008 , Part 2.4 of Chapter 2	
	Road Management Act 2004	
	Road Management (General) Regulations 2016	
	Road Safety Act 1986	

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Schedule 1—Fees

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Item No.</i>	<i>Enactment</i>	<i>Fee payable</i>
	Road Safety (Vehicles) Regulations 2009, regulations 128 and 215	
	Seafood Safety Act 2003	
	Second-Hand Dealers and Pawnbrokers Act 1989 , sections 9B, 14 and 18A	
	Sentencing Act 1991 , section 105L	
	Sex Work Act 1994	
	Small Business Commissioner Act 2003 , section 11A	
	State Employees Retirement Benefits Act 1979	
	State Superannuation Act 1988	
	Superannuation (Portability) Act 1989	
	Supported Residential Services (Private Proprietors) Act 2010 , section 206	
	Surveying Act 2004 , section 33	
	taxing Act	
	Therapeutic Goods (Victoria) Act 2010 , section 30	
	Transport Accident Act 1986	
	Transport (Compliance and Miscellaneous) Act 1983	
	Transport Superannuation Act 1988	
	Veterinary Practice Act 1997 , section 55	
	Vexatious Proceedings Act 2014	
	Victims of Crime Assistance Act 1996	
	Victoria State Emergency Service Act 2005	
	Victoria State Emergency Service Regulations 2006	
	Victorian Plantations Corporation Act 1993	

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Schedule 1—Fees

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Item No.</i>	<i>Enactment</i>	<i>Fee payable</i>
	Wildlife Act 1975	
	Working with Children Act 2005	
	Workplace Injury Rehabilitation and Compensation Act 2013	64 fee units.
5.	For the commencement of a proceeding under the following enabling enactments—	
	Aboriginal Heritage Act 2006	
	Catchment and Land Protection Act 1994 , section 48	
	Climate Change Act 2010	
	Conservation, Forests and Lands Act 1987 , section 76	
	Education and Training Reform Act 2006 , except Division 14 of Part 2.6 and Part 4.8	
	Flora and Fauna Guarantee Act 1988 , sections 34(3), 41, 41A and 43(12)	
	Gambling Regulation Act 2003	
	Health Services Act 1988 , section 67	
	Heritage Act 1995	
	Land Acquisition and Compensation Act 1986	
	Legal Profession Uniform Law Application Act 2014 , section 91	
	Legal Profession Uniform Law (Victoria)	
	Local Government Act 1989 , sections 183, 185 and 185AA	
	Petroleum Act 1998	
	Pipelines Act 2005 , section 154	
	Plant Biosecurity Act 2010 , section 59	

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Schedule 1—Fees

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Item No.</i>	<i>Enactment</i>	<i>Fee payable</i>
	Major Transport Projects Facilitation Act 2009	
	Mineral Resources (Sustainable Development) Act 1990	
	Subdivision Act 1988 , except Part 5	
	Traditional Owner Settlement Act 2010	
	Urban Renewal Authority Victoria Act 2003	
	Valuation of Land Act 1960	
	Water Act 1989 , except section 19	84 fee units.
6.	For the commencement of a proceeding under—	
	(a) the Australian Consumer Law and Fair Trading Act 2012 , except a proceeding allocated to the residential tenancies division;	
	(b) the Domestic Building Contracts Act 1995 ;	
	(c) section 99 of the Legal Profession Uniform Law Application Act 2014 —	
	if the claim is—	
	(d) for a sum that is specified, but is not more than \$3000	6.3 fee units
	(e) for a sum that is more than \$3000 but not more than \$15 000	21 fee units
	(f) not for a sum, or is for a sum that is—	
	(i) not specified; or	
	(ii) more than \$15 000 but not more than \$100 000	47 fee units
	(g) for a sum that is more than \$100 000 but not more than \$500 000	77 fee units
	(h) for a sum that is more than \$500 000 but not more than \$1 million	105 fee units
	(i) for a sum that is more than \$1 million but not more than \$5 million	133 fee units
	(j) for a sum that is more than \$5 million	161 fee units.

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Victorian Civil and Administrative Tribunal (Fees) Regulations 2016
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Schedule 1—Fees

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Item No.</i>	<i>Enactment</i>	<i>Fee payable</i>
7.	For the commencement of a proceeding under the Australian Consumer Law and Fair Trading Act 2012 , if the proceeding is allocated to the residential tenancies division and the claim is—	
	(a) for a sum that is not more than \$15 000 or not for a sum	6.3 fee units
	(b) for a sum that is not specified or is more than \$15 000	21 fee units.
8.	For the commencement of a proceeding under the Retail Leases Act 2003 , if the claim is—	
	(a) for a sum that is not specified or is not more than \$100 000 or not for a sum	47 fee units
	(b) for a sum that is more than \$100 000 but not more than \$500 000	77 fee units
	(c) for a sum that is more than \$500 000 but not more than \$1 million	105 fee units
	(d) for a sum that is more than \$1 million but not more than \$5 million	133 fee units
	(e) for a sum that is more than \$5 million	161 fee units.
9.	For the commencement of a proceeding under the Owners Corporations Act 2006 , except section 191, if the claim is—	
	(a) not for a sum, or is for a sum that is specified, but is not more than \$3000	6.3 fee units
	(b) for a sum that is more than \$3000 but not more than \$15 000	21 fee units
	(c) for a sum that is not specified or for a sum that is more than \$15 000 but not more than \$100 000	47 fee units
	(d) for a sum that is more than \$100 000 but not more than \$500 000	77 fee units
	(e) for a sum that is more than \$500 000 but not more than \$1 million	105 fee units

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Schedule 1—Fees

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Item No.</i>	<i>Enactment</i>	<i>Fee payable</i>
	(f) for a sum that is more than \$1 million but not more than \$5 million	133 fee units
	(g) for a sum that is more than \$5 million	161 fee units.
10.	For the commencement of a proceeding under section 77 or 79 of the Planning and Environment Act 1987 if the proceeding is not a major case and relates to—	
	(a) a VicSmart proceeding or a development that is solely a single dwelling	84 fee units
	(b) a development of a kind not referred to in paragraph (a) having an estimated cost of—	
	(i) nil	111 fee units
	(ii) more than nil but is not more than \$1 million	94 fee units
	(iii) more than \$1 million but is not more than \$5 million	111 fee units
	(iv) more than \$5 million but is not more than \$15 million	139 fee units
	(v) more than \$15 million but is not more than \$50 million	167 fee units
	(vi) more than \$50 million or is not specified	195 fee units.
11.	For the commencement of a proceeding under the Planning and Environment Act 1987 , sections 87, 89 or 93	17 fee units.
12.	For the commencement of a proceeding that is a major case, if the proceeding relates to a development having an estimated cost of—	
	(a) nil	223 fee units
	(b) more than nil but not more than \$1 million	206 fee units
	(c) more than \$1 million but not more than \$5 million	223 fee units
	(d) more than \$5 million but not more than \$15 million	251 fee units

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Victorian Civil and Administrative Tribunal (Fees) Regulations 2016

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Schedule 1—Fees

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Item No.</i>	<i>Enactment</i>	<i>Fee payable</i>
	(e) more than \$15 million but not more than \$50 million	279 fee units
	(f) more than \$50 million or is not specified	307 fee units.
13.	For the commencement of a proceeding under any provision of the Planning and Environment Act 1987 or the Environment Protection Act 1970 not otherwise specified in Part 1 of this Schedule	84 fee units.
14.	For the commencement of a proceeding under any enabling enactment not otherwise specified in Part 1 of this Schedule	64 fee units.
Part 2—Fee for an application and other matters in relation to an existing proceeding		
15.	For the making of an application for the costs of a proceeding under section 109 of the Act or under an enabling enactment, if final orders have been made in that proceeding and the proceeding was allocated to the Tribunal's—	
	(a) administrative division	64 fee units
	(b) civil division	36 fee units.
16.	For the making of an application under section 120 of the Act, if the proceeding in relation to which the application is made was allocated to the Tribunal's—	
	(a) administrative division	17 fee units
	(b) civil division	6.3 fee units.
17.	For lodging a statement of grounds in accordance with clause 56 of Schedule 1 to the Act, unless accompanied by a written notice under subclause (5)	2 fee units.
18.	For transfer of a proceeding from the Magistrates' Court to the Tribunal (payable, in addition to the relevant fee for commencement of the proceeding in the Tribunal)	6.3 fee units.
19.	For an application for an injunction to be heard urgently (payable, in addition to the relevant fee for commencement of the proceeding), except if the proceeding is allocated to the residential tenancies division	21 fee units.

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Victorian Civil and Administrative Tribunal (Fees) Regulations 2016
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Schedule 1—Fees

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Item No.</i>	<i>Enactment</i>	<i>Fee payable</i>
20.	For the issuing of a warrant in a proceeding allocated to the residential tenancies division	11 fee units.
Part 3—Hearing fee		
21.	For hearing a proceeding for which a fee is payable under Part 1 of this Schedule on commencement, for each day or part of a day, if the proceeding is—	
	(a) a major case or a complex case that is allocated to the administrative division	241 fee units
	(b) a complex case that is allocated to the civil division or the human rights division	177 fee units
	(c) for a claim that is not for a sum, or is for an unspecified sum, or is for a sum more than \$15 000—	
	(i) day one, for a proceeding that is—	
	(A) a VicSmart proceeding; or	
	(B) a proceeding under section 80 of the Planning and Environment Act 1987 ; or	
	(C) a proceeding under the Owners Corporations Act 2006 , except section 191; or	
	(D) allocated to the residential tenancies division; or	
	(E) a claim for a specified sum that is not more than \$100 000	nil
	(ii) day one, otherwise	35 fee units
	(iii) days 2 to 4	35 fee units
	(iv) days 5 to 9	70 fee units
	(v) day 10 and any subsequent day	105 fee units.

Endnotes

¹ Reg. 4(a): S.R. No. 53/2013 as amended by S.R. Nos 142/2013, 24/2015, 66/2015 and 101/2015.

² Reg. 4(b): S.R. No. 142/2013.

³ Reg. 4(c): S.R. No. 24/2015.

⁴ Reg. 4(d): S.R. No. 66/2015.

⁵ Reg. 4(e): S.R. No. 101/2015.

⁶ Reg. 16(2)(a)(i): S.R. No. 147/2012. Revoked by S.R. No. 53/2013.

Fee Units

These Regulations provide for fees by reference to fee units within the meaning of the **Monetary Units Act 2004**.

The amount of the fee is to be calculated, in accordance with section 7 of that Act, by multiplying the number of fee units applicable by the value of a fee unit.

The value of a fee unit for the financial year commencing 1 July 2016 is \$13.94. The amount of the calculated fee may be rounded to the nearest 10 cents.

The value of a fee unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a fee unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.