



Court of Appeal (Criminal Fees) Regulations 2013

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 20th day of May 2013

Present:

His Excellency the Governor-General in Council

Pursuant to section 387 of the Criminal Procedure Act 2011, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Regulations

1 Title

These regulations are the Court of Appeal (Criminal Fees) Regulations 2013.

2 Commencement

These regulations come into force on 1 July 2013.

3 Interpretation

In these regulations, unless the context otherwise requires,—
access means to search, inspect, or copy under the supervision of an officer of the court

Act means the Criminal Procedure Act 2011

court means the Court of Appeal

criminal appeal means—

- (a) an appeal, or application for leave to appeal, to the court, and to which the Act applies; or
- (b) a Solicitor-General's reference to the court under sub-part 11 of Part 6 of the Act

Registrar means the Registrar of the court, and includes any Deputy Registrar of the court.

4 Access fees

- (1) The fees prescribed by the Schedule are payable in respect of the matters specified in the Schedule.
- (2) The fee prescribed by item 1 of the Schedule is not payable by any of the following:
 - (a) a party to the criminal appeal:
 - (b) a lawyer representing a party to the criminal appeal:
 - (c) if the defendant in the criminal proceeding to which the criminal appeal relates is a corporation, a representative of the defendant appointed in accordance with section 12 of the Act.
- (3) A person specified in subclause (2) is entitled to 1 copy of any part or parts of the court file or any document relating to the criminal appeal without payment of the fee prescribed by item 2 or 3 of the Schedule.

- (4) Fees prescribed by the Schedule are payable by a person specified in section 382(4) of the Act unless the person is exempted under subclause (2) or (3).

5 GST

The fees prescribed by these regulations are inclusive of goods and services tax.

6 Receipts

The Registrar must ensure that a person who makes a payment of any amount in or towards a fee prescribed by these regulations is given a receipt for the payment as soon as is reasonably practicable after the amount is received.

Schedule Access fees

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Item	Matters specified	Fee (\$)
1	Requesting access to the formal court record, the court file, or 1 or more documents, relating to a criminal appeal	30.00
2	Copying a judgment relating to a criminal appeal	30.00
3	Copying a document (other than a judgment) relating to a criminal appeal—	
	(a) for each black and white page	0.20
	(b) for each colour page	0.40
	(c) for documents in electronic form	actual and reasonable costs

Rebecca Kitteridge,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 July 2013, are made under the Criminal Procedure Act 2011 (the **Act**). They prescribe fees payable for accessing court documents relating to criminal appeals in the Court of Appeal. A Judge or Registrar may, under section 385A of the Act, waive the payment of a fee prescribed for accessing documents (in whole or in part) if satisfied that the person is unable, or should not be required, to pay the fee.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 23 May 2013.

These regulations are administered by the Ministry of Justice.
