



## **Criminal Proceedings (Search Fees) Regulations 2009**

Anand Satyanand, Governor-General

### **Order in Council**

At Wellington this 19th day of October 2009

Present:

His Excellency the Governor-General in Council

Pursuant to section 410 of the Crimes Act 1961 and section 212 of the Summary Proceedings Act 1957, 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 Criminal Proceedings (Search Fees) Regulations 2009.

### 2 Commencement

These regulations come into force on 20 November 2009.

### 3 Application

These regulations apply to any criminal proceeding (within the meaning of rule 3 of the Criminal Proceedings (Access to Court Documents) Rules 2009) in the High Court or a District Court.

### 4 Interpretation

Terms defined in the Criminal Proceedings (Access to Court Documents) Rules 2009 and used in these regulations have the same meanings as in those rules.

### 5 Fees

- (1) The fees prescribed in the Schedule are payable, and must be taken by the proper officer of the High Court or (as the case may require) a District Court in respect of the matters specified in the Schedule.
- (2) The fees prescribed by subclause (1), other than in respect of the copying of any document, are not payable by any party to the proceedings or a solicitor acting for a party.
- (3) If it appears to the satisfaction of a Judge or Registrar of the High Court or a District Court that any person is unable, or ought not to be required, to pay a fee or part of a fee specified in the Schedule, the Judge or Registrar may dispense with payment of the whole or part of that fee, subject to any terms the Judge or Registrar thinks fit.

### 6 GST included

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

**7 Revocation**

The Criminal Proceedings (Search Fees) Regulations 1997 (SR 1997/334) are consequentially revoked.

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**Schedule  
Prescribed fees**

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<b>Matters specified</b>	<b>Fee (\$)</b>
For a search or inspection of the formal court record or any document or court file, whether with the permission of the court or otherwise, in accordance with the Criminal Proceedings (Access to Court Documents) Rules 2009	25.00
For a request for access to 1 or more documents under rule 8 or 9 of the Criminal Proceedings (Access to Court Documents) Rules 2009 or for an application under rule 13 of the Criminal Proceedings (Access to Court Documents) Rules 2009, but no fee is payable if a fee has been paid under the preceding item in respect of the same matter	25.00
For the issue of a certified copy of any document on any file	35.00
For the issue by the Registrar of a certificate as to any matter in the records of the court	30.00
For a copy of a judgment—	
(a) not exceeding 5 pages	15.00
(b) exceeding 5 pages but not exceeding 50 pages	30.00
(c) exceeding 50 pages but not exceeding 75 pages	40.00
(d) exceeding 75 pages	50.00
For faxing documents at the request of a party (except where documents have to be faxed for operational reasons)	2.00
plus, per page faxed	1.00
For a copy of a page of any other document on any file	actual and reasonable costs

Rebecca Kitteridge,  
Clerk of the Executive Council.

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### **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 20 November 2009, revise the search fees currently payable under the Criminal Proceedings (Search Fees) Regulations 1997. The fees are revised in light of the Criminal Proceedings (Access to Court Documents) Rules 2009, which came into force on 12 June 2009.

The regulations extend the current fee structure to searches of the formal court record in District Courts and to deposition hearings and trials on indictment held in District Courts.

They prescribe new fees of \$25.00 for requests and applications under the Criminal Proceedings (Access to Court Documents) Rules 2009.

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

Date of notification in *Gazette*: 22 October 2009.

These regulations are administered by the Ministry of Justice.

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