

**Reprint
as at 4 October 2013**



**District Courts and High Court
(Criminal Fees) Regulations 2013**
(SR 2013/180)

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 20th day of May 2013

Present:

His Excellency the Governor-General in Council

His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations—

- (a) pursuant to section 387 of the Criminal Procedure Act 2011; and
- (b) insofar as they revoke the Criminal Proceedings (Search Fees) Regulations 2009, pursuant to section 410 of the Crimes Act 1961 and section 212 of the Summary Proceedings Act 1957.

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this reprint.

Note 4 at the end of this reprint provides a list of the amendments incorporated.

These regulations are administered by the Ministry of Justice.

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Regulations

- 1 **Title**
These regulations are the District Courts and High Court (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 a court
Act means the Criminal Procedure Act 2011
court means a court that is—
 (a) a District Court; or
 (b) the High Court of New Zealand
criminal proceeding, for a court, means a proceeding—
 (a) in the court; and
 (b) to which the Act applies
Registrar means the Registrar of a court, and includes a Deputy Registrar.

4 Filing, hearing, and application fees

- (1) The fees prescribed by Schedule 1 are payable in respect of the matters specified in that schedule.
- (2) If a charging document contains more than 1 charge, the filing fee payable must be assessed as if a separate charging document had been filed for each charge.
- (3) No fee is payable under item 1 of Schedule 1 for filing a charging document if a fee has been paid under item 2 of that schedule in respect of that charging document.

5 Access fees

- (1) The fees prescribed by Schedule 2 are payable in respect of the matters specified in that schedule.
- (2) The fee prescribed by item 1 of Schedule 2 is not payable by any of the following:
 - (a) a party to the criminal proceeding;
 - (b) a lawyer representing a party to the criminal proceeding;
 - (c) if the defendant in the criminal proceeding 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 proceeding without payment of the fee prescribed by item 4 or 5 of Schedule 2.
- (4) Fees prescribed by Schedule 2 are payable by a person specified in section 382(4) of the Act unless the person is exempted under subclause (2) or (3).

6 GST

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

7 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.

8 Revocation

The Criminal Proceedings (Search Fees) Regulations 2009 (SR 2009/317) are revoked.

Schedule 1

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Filing, hearing, and application fees

Item	Matters specified	Fee (\$)
1	Filing a charging document under section 14 of the Act	30
2	Seeking to file a charging document under section 26(1) of the Act	30
3	Hearing a charge under the Act	100
4	Applying to reduce a disqualification or disqualifications, or for partial exemption from a disqualification or disqualifications, under the Land Transport Act 1998	150

Schedule 1: amended, on 4 October 2013, by regulation 4 of the District Courts and High Court (Criminal Fees) Amendment Regulations 2013 (SR 2013/412).

Schedule 2
Access fees

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Item	Matters specified	Fee (\$)
1	Requesting access to the permanent court record, the court file, or 1 or more documents, relating to a criminal proceeding	30.00
2	Issuing a certified copy of any document relating to a criminal proceeding	50.00
3	Issuing a certificate as to any matter in the records of the court relating to a criminal proceeding	50.00
4	Copying a judgment relating to a criminal proceeding	30.00
5	Copying a document (other than a judgment) relating to a criminal proceeding—	
	(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.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 23 May 2013.

Reprints notes

1 *General*

This is a reprint of the District Courts and High Court (Criminal Fees) Regulations 2013 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, will have the status of an official version once issued by the Chief Parliamentary Counsel under section 17(1) of that Act.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

District Courts and High Court (Criminal Fees) Amendment Regulations 2013 (SR 2013/412)
