

EXPLANATORY MEMORANDUM

(JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION)

Coroners Act 1996

Coroners Regulations 1997

- **The date of publication of the instrument in the *Government Gazette*.**

30 November 2012

- **The title of the subsidiary legislation.**

Coroners Amendment Regulations 2012

- **Identification of the section(s) of the statute(s) under which the subsidiary legislation is made.**

Coroners Act 1996 section 59(2)(b)

- **A description of the purpose and effect of, and justification for, the subsidiary legislation (or any amendments to or repeals of it).**

The Coroners Amendment Regulations 2012 made under the *Coroners Act 1996* have been gazetted and are provided for your consideration. Amendments include:

- an increase in fees of 2.8%. The Department has determined that costs have broadly moved in accordance with the CPI rate of 2.8% and hence most fees were increased by CPI the day following gazettal.

Specific amendments are as follows:

Regulation 22 **Schedule 3 amended**

The fees in Schedule 3 relate to copying and transcript services at the Coroners Court. With the exception of items 1 and 6, all fee items have been increased by 2.8% to match CPI movements as determined by the Department. These applied from the day following gazettal.

Type of fee	Date last updated Increase/Decrease	Old Fee (\$)	New Fee (\$)	Increase/ Decrease (%) ∞
1. Copy of document or exhibit per page	05.09.09 Increase	1.50	1.50	Nil
2. Providing a copy of findings a. copy on request of interested party as	21.12.11	Nil	Nil	Nil

per regulation 17(a) or (b)	Increase			
b. additional copy on request of interested party as per regulation 17(a) or (b) – for each page		1.20	1.25	4.2
c. additional copy on request of any other person for each page		1.20	1.25	4.2
3. Certifying a document as true copy	21.12.11 Increase	13.15	13.50	2.7
4. Copy of transcript or notes of evidence, for each page or part of a page	21.12.11 Increase	5.30	5.45	2.8
Minimum fee		18.85	19.40	2.9
5. Copy of transcript or notes of evidence in electronic format if fee paid under item 4	21.12.11 Increase	13.15	13.50	2.7
6. Copy of transcript or notes of evidence not in electronic format if fee paid under item 4	05.09.09 Increase	1.50	1.50	Nil

∞ Fees were rounded as follows:

- less than or equal to \$20 - round to the nearest 5c
- greater than \$21 less than \$50 - round to the nearest 10c
- greater than \$51 less than \$200 - round to the nearest 50c
- greater than \$200 - round to the nearest dollar

The rounding has resulted in variations to the 2.8% CPI increase

- **Identification of any unusual or controversial provisions, having particular regard to the matters set out in item 3.6 of the Joint Standing Committee's terms of reference.**

NIL

- **Details of consultations undertaken including a list of the business and community groups consulted, a précis of their comments and the response to any suggestions put forward.**

NIL

- **If applicable, reasons justifying any change in fees, charges and penalties and details of the amount of the fee, charge or penalty before the change.**

In accordance with Department of Treasury instructions the Department reviews its fees on an annual basis to determine whether an increase in some or all of its fees are required.

Legal advice with respect to the current fee increases has been sought from the State Solicitors Office. This advice suggests all fees in the amendments stipulated in the Supreme Court (Fees) Amendment Regulations (No. 3) 2012 are legally valid.

- **The name, email address, telephone number and direct fax number of a person whom the Committee can contact regarding the subsidiary legislation.**

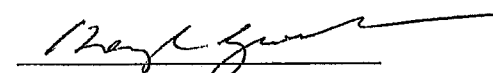
Please contact Mark Hainsworth, Manager Advisory Services, Department of the Attorney General with any queries on 9264-1371 fax number 9264-1121 or mark.hainsworth@justice.wa.gov.au


- **Where relevant, confirmation that a National Competition Policy Review has been conducted and the outcome of that review.**

Not relevant

Disclaimer

This explanatory memorandum has been prepared as an aid and must not be substituted for the subsidiary legislation or other instrument gazetted, or made available to the public in any way.


Cheryl Gwilliam
DIRECTOR GENERAL
Department of the Attorney General


Hon Michael Mischin MLC
ATTORNEY GENERAL