



Shane Rattenbury MLA
Attorney-General
Minister for Consumer Affairs
Minister for Water, Energy and Emissions Reduction
Minister for Gaming

Member for Kurrajong

Mr Peter Cain
Chair
The Standing Committee on Justice and Community Safety
(Legislative Scrutiny Role)
Legislative Assembly for the ACT

Dear Mr Cain *Peter*

I refer to the Standing Committee on Justice and Community Safety's (the Committee) comment at page 17, paragraphs 2.46-2.47 of the Scrutiny Report 26 dated March 2023 with respect to proposed **Subordinate Law SL2022-19** being the Court Procedures Amendment Rules 2022 (No 3) made under section 7 of the *Court Procedures Act 2004*.

The Committee's comment was as follows:


2.46 The Committee notes that no information is provided in relation to the magnitude of any increases, nor the reasons for any increases. While increases in a scale of costs are obviously different to increases in fees, they nevertheless have an effect on what those who are involved in the legal process may end up having to pay. That being so, the Committee considers that some further explanation for the increases would be appropriate.

2.47 The Committee draws the attention of the Legislative Assembly to this instrument, under paragraph (10)(d) of the Committee's Resolution of Appointment, on the basis that the explanatory statement for the subordinate law does not meet the technical or stylistic standards expected by the Committee.


The Committee has sought a response to this comment from the Minister, and my response is as follows.


ACT Legislative Assembly London Circuit, GPO Box 1020, Canberra ACT 2601

 +61 2 6205 0005

 rattenbury@act.gov.au

 @ShaneRattenbury

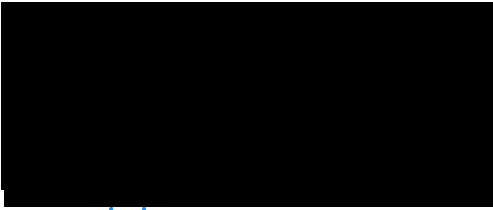
 shanerattenburymla

 shanerattenbury

The scale of costs under the *Court Procedures Rules 2006* has not been increased since 1 July 2019, except for an increase to two items on 1 January 2021 to rectify anomalies that occurred when the scale was amended on 1 July 2019. In effect this means that in the last four years, the scale of costs has not been increased to account for the Wage Price Index (WPI) and the Consumer Price Index (CPI). The increase to the scale of costs reflected in SL2022-19 therefore updates the scale in accordance with increases in WPI and CPI.

Whilst the scale of costs are not determined fees, I acknowledge the Committee's concerns and propose to arrange for a revised Explanatory Statement in the attached form to be tabled.

Please contact me should you require any further information.



28/3/23