

SCHEDULE 2 - SCALE OF COSTS FROM 1 JULY 2011
(The amounts allowable under this Schedule may be increased by the operation of Rule 264)

DOCUMENTS		
<i>Drawing and engrossing</i> [Including original and the lawyer's file copy]		
1.	Drawing any document of importance other than correspondence and those listed in item 2, per ¼ page.	\$28.00
2.	Drawing proofs, indices, formal lists, extracts from other documents, lists of authorities, or other formal documents, per ¼ page	\$14.00
3.	Engrossing documents, when copying or scanning is not appropriate, per ¼ page	\$4.00
<i>Perusing and examining documents and electronic documents</i>		
4.	Perusing documents, per ¼ page - minimum	\$2.00
	maximum	\$8.00
5.	Examining documents, when a perusal is not justified, per ¼ page	\$0.50
<i>Documents produced by copying or scanning, or receiving emails, faxes, or any other electronic transmissions</i>		
6.	Per sheet	\$0.30
ATTENDANCES AND COMMUNICATIONS		
<i>Attendances and oral communications, whether personal or by electronic communication, and including attendances to swear or take affidavits, per six minute unit</i>		
7.	By a lawyer involving skill	\$30.00
8.	By a lawyer not involving skill	\$18.00
9.	By a non-lawyer employed or engaged by a lawyer	\$14.00
10.	Arranging appointments, per person, including all work involved	\$20.00
<i>Attending Hearings, including preparation, and when not attending as instructing lawyer for counsel</i>		
11.	Short	\$110.00
12.	Ordinary	\$190.00
13.	If protracted, per 6 minute unit of hearing time	\$30.00
<i>Filing and delivery</i>		
14.	Filing or delivery of documents other than personal service, when no other attendance is properly allowable	\$20.00
CORRESPONDENCE [Including original to send and the lawyer's file copy, and the ordinary postal or transmission expenses]		
15.	Whether sent by letter, email, SMS, or fax, per ¼ page	\$20.00
16.	Circular correspondence, after the first, per item (plus copying for subsequent pages after the first page)	\$10.00

MISCELLANEOUS		
17.	Paying disbursements by whatever means and including all work and associated expenses	\$20.00
18.	Preparation of Trial Books, Tender Books, Books of Exhibits, Application Books, Appeal Books and Briefs, including indices, pagination and binding, per page	\$1.50
19.	Lump sum on a default judgment	\$2,040.00

NOTES

General

- A. The amount allowed for each of the above items is to be at the discretion of the adjudicating officer, who is at liberty, in the particular circumstances of the matter, to disallow an item entirely or allow a greater or lesser amount for an item. The adjudicating officer may allow a greater amount where the matter is of importance or difficulty.
- B. The costs allowed in the scale do not include the Goods and Services Tax (GST) which is to be added except in the following circumstances. GST should not be included in a claim for costs in a short form Claim or Schedule of costs if the receiving party is able to recover GST as an input tax credit. If the receiving party is able to obtain an input tax credit for only a proportion of the GST, only the portion which is not eligible for credit should be claimed in the party/party Schedule of costs. If there is a dispute as to whether GST is properly claimed in the party/party Schedule of costs, the receiving party must provide a certificate signed by the lawyers or auditors of the receiving party as to the extent of any input tax credit available to the receiving party.

Attendances

- C. A six minute unit comprises six minutes or part thereof, but no part is to be allowed as a full unit if it is unreasonable to do so.
- D. When a lawyer is instructing counsel, the lower attendance rate should be allowed if the lawyer is merely assisting by being present, but the higher rate should be allowed if the lawyer is more actively involved, for example, by proofing witnesses, preparing indices, etc.

Documents and perusals

- E. Unless the adjudicating officer considers there is good reason to depart from it, pages for items in this Schedule are to be measured by compliance with Practice Direction 1.7.1 and on the basis that a full page contains 44 lines and a quarter page contains 11 lines. A part of a quarter page is to be treated as a full quarter page. Each page of a short form claim for costs or itemised schedule of costs drawn in accordance with the practice direction may be allowed as a standard page.
- F. If a document is prepared on other than A4 paper, the amounts to be allowed may be increased or decreased in the discretion of the adjudicating officer.
- G. A rate towards the maximum rate for perusal is appropriate for documents such as pleadings, particulars, advices and opinions and for the more complicated medical and expert reports. A middle range figure will be appropriate for standard expert reports, lists of documents and medical reports. A rate towards the lower rate will apply to appearances, notices of address for service, ordinary correspondence, special damages vouchers and the like. In cases in which a large volume of documents must be perused, an hourly rate may be allowed by the adjudicating officer instead of a perusal fee.

Copying scanning and emailing

- H. When a substantial number of sheets are, or should be, photocopied or scanned at the same time, regard may be had to commercial photocopying rates in respect of multiple copies of the same document, for each sheet after the first.

- I. When multiple emails or SMSs are claimed, those dealing with the same issues over a period of 48 hours extending over not more than three consecutive days excluding non-business days will be treated as one.

Disbursements

- J. Allowable disbursements are whenever possible to be included in the same item as the corresponding claim for lawyer's costs, but within the disbursements column.
- K. Only the amount of disbursements actually paid or payable are to be shown in the Schedule as disbursements. If a disbursement is yet to be paid, this must be specially stated.
- L. Such allowance for kilometerage by motor vehicle or other conveyance will be made as the adjudicating officer considers reasonable.

Schedules of Costs

- M. Each Schedule of costs (other than a short form Claim for costs) must show –
- (a) the time spent on an attendance; and
 - (b) the number of A4 pages (or the equivalent) contained in any document for which a charge is made; and
 - (c) the name of any lawyer and the status of any clerk in respect of whom an attendance is charged; and
 - (d) a separate identifying number for each item and the date of the item; and
 - (e) the items of work and disbursements in chronological order; and
 - (f) succinctly the nature of the work done.
- N. When the Court orders a party, or a party or person is otherwise required, to adjudicate costs both as between party and party and lawyer and client, the appropriate form is to be modified by the applicant so as to provide for the inclusion of both party and party and lawyer and client costs and the respondent's respective responses thereto.