

# Impact Analysis Statement

## Summary IAS

### Details

<b>Lead department</b>	Department of Justice and Attorney-General
<b>Name of the proposal</b>	An amendment to increase the scales of legal costs that apply in relation to court proceedings to reflect movements in the consumer price index and wage price index.
<b>Submission type</b>	Summary Impact Analysis Statement
<b>Title of related legislative or regulatory instrument</b>	<i>Uniform Civil Procedure and Other Rules Amendment Rule 2024</i>
<b>Date of issue</b>	June 2024

Proposal type	Details
<b>Regulatory proposals where no RIA is required</b>	<p>Section 85 of the Supreme Court of Queensland Act 1991 (the SC Act) provides that the Governor in Council may make rules of court under the SC Act for certain matters including rules for the practices and procedures of the Supreme Court, the District Court or the Magistrates Courts or their registries or another matter mentioned in Schedule 1. The rules of court are contained in the Uniform Civil Procedure Rules 1999 (UCPR). Schedule 1, item 21 (Costs) of the SC Act specifically refers to the assessment of costs.</p> <p>Under section 57C of the <i>Magistrates Courts Act 1921</i> (the MC Act), the Governor in Council may, with the consent of the Chief Magistrate, make rules of court providing for the practices and procedures of a proceeding in a court under the <i>Domestic and Family Violence Protection Act 2012</i>, or a registry of a court in relation to a proceeding under that Act. The rules of court are contained in the <i>Domestic and Family Violence Protection Rules 2014</i> (DFVP Rules).</p> <p>The Uniform Civil Procedure and Other Rules Amendment Rule 2024 (Amendment Rule) adjusts the scales for the Supreme, District and Magistrates Courts, for assessment of legal costs under the UCPR in line with a formula developed for the indexation of the scales of costs in the federal courts based on movements in the consumer price index and wage price index since the scales were last increased in 2023. The Amendment Rule increases the current scales of costs by 4.21% from 1 July 2024. Due to the effect of rounding, certain amounts will be slightly more or less than an exact increase of 4.21%. The rounding rules applied are: amounts over \$1,000 to the nearest dollar; amounts under \$1 to the nearest cent; and otherwise, to the nearest five cents.</p> <p>As the DFVP Rules scale of costs is based on schedule 2, part 3 of the UCPR, this scale of costs is also updated.</p> <p>The Rules Committee (a committee of magistrates and judges established by the Chief Justice of Queensland under the SC Act) has consented to the making of the amendments to the UCPR in the amending rule, as required under section 85(2) of the SC Act. The Chief Magistrate has consented to the making of the amendments to the DFVP Rules in the Amendment Rule as required under section 57C(1) of the MC Act.</p>

The proposal relates to the administration of courts and tribunals. No regulatory impact analysis is required under the *Queensland Government Better Regulation Policy*.

**Signed**



Jasmina Joldić PSM  
Director-General  
Department of Justice and Attorney-General

Date: 14.06.2024



Yvette D'Ath MP  
Attorney-General and Minister for Justice and  
Minister for the Prevention of Domestic and  
Family Violence

Date: 14-06-2024