



High Court of Australia

Party Category Information

High Court of Australia (Fees) Regulation 2012

Regulation 7

Give Details

File Number:

File name:

Date lodged:

Cross boxes, for example , where applicable

Notice to applicant

This form must be completed on the first occasion you file a document in your proceeding on which a fee is payable so the Court can assess the correct fee rate which applies to you.

Under the High Court of Australia (Fees) Regulation 2012, different rates apply for filing and hearing fees depending on whether the party liable to pay that fee is:

- a publicly listed company – which pays the highest rate of fees;
- a corporation or a public authority – which pays the next highest rate;
- a small business, a not-for-profit association or any other case – which pays the lowest rate.

You can find information about the definitions used in the Regulation for each of these party categories on the next page. More information about party categories is available on the High Court's website at www.hcourt.gov.au or by asking Registry staff.

The completed form **must** be signed by you (if the party is a publicly listed company, a corporation, public authority, small business or not-for-profit association please include your name and the office you hold) or by your lawyer acting on your instructions.

If a party is made up of different bodies or persons, then the highest rate of fee which can apply is payable. In that case you only need to complete this form for the body that will be pay the highest rate. If in doubt, complete a form for each body or person and the Court will make the appropriate assessment.

You must notify the Court Registry if there is any change to your circumstances that alters your party category while the Court is dealing with your case.

WARNING

Under the Criminal Code any person who knowingly makes an untrue representation or statement to obtain a benefit or advantage from the Commonwealth is guilty of an offence and, if found guilty, can be fined or imprisoned.

Details

1 Name of party or body or person which is part of the "party" which pays the highest rate of fee

family name (surname) for individual

given names for individual

Or

company/corporation/public authority/business/association

2 Party category (See definitions over the page)

The party in 1 above is:

- a publicly listed company [**"publicly listed company" rate will be payable**]; or
- a corporation or a public authority [**"corporation" rate will be payable**]; or
- a small business; or
- an unincorporated not-for-profit association; or
- an individual or natural person; or
- any other [**any other party (which is not a publicly listed company, corporation or a public authority) pays the 'in any other case' rate**]

Signature

[if signing for a company, corporation, authority, business or association or on behalf of a party please add:

your name and firm

office held or authority (e.g. lawyer acting on instructions)

date / /

Party Category Information Definitions

High Court of Australia (Fees) Regulation 2012

Publicly listed company

A company listed on a stock exchange or financial market in any country.

Corporation

Includes:

- a company;
- a body corporate;
- an unincorporated body that, under the law of the place where the body is formed, may:
 - sue or be sued; or
 - hold property in the name of the secretary of the body or an office holder of the body appointed for that purpose;
- a public authority (see “Public authority” below);
- a corporation registered under *the Corporations (Aboriginal and Torres Strait Islander) Act 2006*;
- a trade union.

But does not include:

- a corporation sole that is not a public authority;
- a small business (see “Small business” below);
- an **unincorporated** not-for-profit association (see “Not-for-profit association” below).

Public authority

Means:

- a body or authority of the Commonwealth or a State or Territory, including:
 - a Department of the Commonwealth or a State or Territory;
 - a Department of the Commonwealth Parliament established under the *Parliamentary Service Act 1999*, a Department of the Parliament of a State or a Department of the legislature of a Territory;
 - a prescribed Agency under the *Financial Management and Accountability Act 1997*;
- a person representing a body or authority of the Commonwealth or of a State or Territory;
- a Minister for the Commonwealth or for a State or Territory;
- a statutory office holder.

Small business

Means a business with:

- no more than 19 employees; and
- a total turnover of less than \$2 million each year.

Not-for-profit association

Means a society, club, institution or body that is not formed for the purpose of trading or securing pecuniary profit from its transactions for its members.

Other

Any party other than a publicly listed company or corporation (including a public authority). It includes a small business and a not-for-profit association. It also includes an individual (i.e. a natural person).