



HIGH COURT OF AUSTRALIA



**ANNUAL REPORT
1999-2000**

High Court of Australia
Canberra ACT

12 September 2000

Dear Attorney,

In accordance with Section 47 of the *High Court of Australia Act 1979*, I submit on behalf of the Court and with its approval a report relating to the administration of the affairs of the High Court of Australia under Section 17 of the Act for the year ended 30 June 2000, together with financial statements in respect of the year in the form approved by the Minister for Finance.

Sub-section 47(3) of the Act requires you to cause a copy of this report to be laid before each House of Parliament within 15 sitting days of that House after its receipt by you.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'C.M. Doogan', with a long, sweeping underline.

(C.M. DOOGAN)
Chief Executive and Principal Registrar
of the High Court of Australia

The Honourable D. Williams, AM, QC, MP
Attorney-General
Parliament House
Canberra ACT 2600

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PART I – PREAMBLE

This is the twenty-first report prepared as required by the *High Court of Australia Act 1979*. It is divided into seven parts, as follows:

Part I is the Preamble.

Part II introduces the members of the High Court of Australia.

Part III contains a review of significant events in the Court's administration during 1999-2000.

Part IV provides background information on the High Court.

Part V contains a report on the administration of the Court's affairs.

Part VI contains the Court's Financial Statements for the year ended 30 June 2000, together with the Auditor-General's report thereon.

Part VII contains a number of Annexures, including tables of judicial activity and professional costs, fees and charges.

Aids to Access

Contact Officer

In the first instance, inquiries or comments concerning this report may be directed to:

The Marshal
High Court of Australia
PO Box E435
Kingston ACT 2604

Telephone: (02) 6270 6983
Facsimile: (02) 6270 6868
E-mail: lhoward@hcourt.gov.au

Freedom of Information (FOI)

The information required by Section 8 of the *Freedom of Information Act 1982*, together with FOI contact officer details, is contained in Annexure A to Part VII of this report.

Electronic Publication

This report will be published, in Portable Document Format, on the High Court's Internet site at <http://www.hcourt.gov.au>. The report may be downloaded from this site free of charge.

PART II - INTRODUCTION

The High Court of Australia is the nation's highest court. It is established by the Constitution for the resolution of constitutional disputes. It is also the nation's final court of appeal.

The Court sits in Canberra and, if there is sufficient business, it sits for one week each year in Brisbane, Adelaide, Perth and Hobart.

There are seven Justices of the Court. Ordinarily, constitutional cases are heard by all seven Justices. Appeals are heard usually by five or seven Justices. Before an appeal is heard, the Court must have granted leave or special leave to appeal. Special leave applications are usually heard by two or three Justices. Special leave applications are heard in Sydney and Melbourne and by video-link from Canberra to other capital cities. Chamber applications are heard by a single Justice, usually in the capital city in which he or she resides or by video-link from Canberra.

As at 30 June 2000, the seven Justices of the High Court were:



Chief Justice Gleeson

Anthony Murray Gleeson was appointed Chief Justice of the High Court of Australia in May 1998. At the time of his appointment he was Chief Justice of the Supreme Court of New South Wales, having been appointed to that office in November 1988.

He graduated in Arts and Law from the University of Sydney and was admitted to the New South Wales Bar in 1963. He was appointed Queen's Counsel in 1974. He was President of the New South Wales Bar Association during the period 1984-1985. He was Lieutenant Governor of New South Wales from 1989 to 1998, and was appointed a Companion in the General Division of the Order of Australia in 1992.



Justice Gaudron

Mary Genevieve Gaudron was appointed to the Court in February 1987. At the time of her appointment she was Solicitor-General for New South Wales. She graduated from the University of Sydney as a Bachelor of Arts in 1962 and as a Bachelor of Laws in 1965. She was admitted to the New South Wales Bar in 1968. In 1981 she became a Queen's Counsel.

From 1974 to 1980 she was a Deputy President of the Australian Conciliation and Arbitration Commission. In 1979 she was appointed first chairman of the Legal Services Commission of New South Wales.



Justice McHugh

Michael Hudson McHugh was appointed to the Court in February 1989. At the time of his appointment he was a Judge of the New South Wales Court of Appeal, having been appointed to that office in October 1984.

He was admitted to the New South Wales Bar in 1961 and was appointed a Queen's Counsel in 1973. He was President of the New South Wales Bar Association during the period 1981 to 1983 and President of the Australian Bar Association during the period 1983 to 1984. He was appointed a Companion in the General Division of the Order of Australia in 1989.



Justice Gummow

William Montague Charles Gummow was appointed to the Court in April 1995. At the time he was a judge of the Federal Court of Australia. He had held that office since 1986.

He graduated from the University of Sydney as Bachelor of Arts and Master of Laws. After ten years in practice as a solicitor, he was called to the New South Wales Bar in 1976. For thirty years he lectured, part-time, at the University of Sydney. He was appointed a Companion in the General Division of the Order of Australia in 1997.



Justice Kirby

Michael Donald Kirby was appointed to the Court in February 1996. At the time of his appointment he was President of the New South Wales Court of Appeal, having been appointed to that office in September 1984.

He was admitted to the New South Wales Bar in 1967, and appointed a Deputy President of the Australian Conciliation and Arbitration Commission in 1975. He served as first Chairman of the Australian Law Reform Commission from 1975 to 1984. In 1983 he became a judge of the Federal Court of Australia, serving on that Court until 1984.

Justice Kirby has held numerous national and international positions including on the board of the CSIRO, as President of the Court of Appeal of Solomon Islands, as UN Special Representative in Cambodia and as President of the International Commission of Jurists. He is a Companion in the General Division of the Order of Australia and a Companion of the Order of St. Michael and St. George.



Justice Hayne

Kenneth Madison Hayne was appointed to the Court in September 1997. At the time of his appointment he was a judge of the Court of Appeal of Victoria having been appointed one of the foundation judges of that Court in 1995. He graduated in Arts and Law from the University of Melbourne and as a Bachelor of Civil Law from the University of Oxford. Elected Rhodes Scholar for Victoria in 1969, he joined the Victorian Bar in 1971 and was appointed Queen's Counsel for Victoria in 1984. He was appointed a judge of the Supreme Court of Victoria in 1992. He practised in State and Federal courts principally in commercial, constitutional and general civil matters.



Justice Callinan

Ian David Francis Callinan was appointed to the Court in February 1998. At the time of his appointment he was a practising barrister. After spending five years as a solicitor he was admitted to the Queensland Bar in 1965 and was appointed a Queen's Counsel in 1978. He was President of the Australian Bar Association in 1984-85. Justice Callinan is a playwright and author, a former Chairman of Trustees of the Queensland Art Gallery, a former Honorary Chairman of the Brisbane Community Arts Centre and was formerly a director of a number of public companies as well as the Australian Broadcasting Corporation.

PART III - THE YEAR IN REVIEW

Increased Workload

The tables of judicial workload annexed to this report disclose a significant increase in the number of matters filed in comparison to the matters filed in 1998-99. In particular, the number of civil special leave applications filed increased by 30% and the number of criminal special leave applications increased by 19%. As a result of the large increase in special leave applications filed, the Court arranged additional sitting days for the hearing of applications. During 1999-00 the number of special leave applications heard by the Court rose by 64% compared to the number of applications heard in 1998-99.

The number of order nisi applications filed during the year remained high, following the trend noted in 1998-99. More than 70% of the order nisi applications filed during 1999-00 involved immigration matters. The impact of this growing jurisdiction is most obvious in the increase of single Justice hearings. In 1998-99 there were 25 single Justice hearings involving order nisi applications. In 1999-00 this figure soared to 173, of which 88% involved immigration matters. These applications consume a large amount of judicial time, particularly in cases requiring more than one hearing.

To put these workload increases into context, when the seat of the Court was established in Canberra in 1980 there were 184 matters heard by a Full Court. By comparison, this number has increased to 495 during the year in review. In the same period, the number of single Justice hearings has increased from 79 to 282 and the number of special leave applications heard by the Court has increased from 96 in 1980 to 411 in the year under review. The inevitable result of this growth is sustained and growing pressure on both the Judges and the staff within the Court. This pressure is exacerbated by the need to ensure that matters are finalised in a reasonable period of time without any excessive delay.

Unrepresented Litigants

The number of unrepresented litigants appearing before the Court remained high during the past year. In 29% of civil special leave applications filed during the year the applicants were unrepresented. In criminal applications filed during the year the proportion of unrepresented applicants was 18%.

In the case of proceedings heard before a single Justice the number of unrepresented parties dropped from 28% to 13%. This is explained by the large increase in single Justice hearings involving order nisi applications, only 5% of which involved unrepresented parties.

The Court and the Public

The Court continues its efforts to obtain funding for the employment of a Public Information Officer to promote understanding in the Australian community of the Court's role, and to respond appropriately from time to time to comment and criticism of the Court. The Court remains hopeful that funding from the Government will eventually be realised.

The number of visitors to the building increased in the past year. However, beginning 1 July 1997, the building has been closed to the public on weekends and public holidays. This change was brought about by funding cuts. The Court remains hopeful that the restoration of sufficient

funding will permit re-opening of the building so that it is open at times the Parliament building is open to visitors to the national capital

Developments in Information Technology

The following developments in the Court's use of information technology took place during 1999-2000:

- For the past two years, the Court has attempted to complete enhancement of its case management system to allow legal practitioners and members of the public to obtain a wide range of information about proceedings before the Court. It was hoped that this enhancement would be completed by December 2000. Unfortunately, processing the dramatic increase in the Court's workload in the past year has consumed registry resources which would otherwise have been deployed on this important project. The enhancement has been deferred until resources can be diverted to it.
- In a similar vein, workload pressures precluded all but minor progress on projects to broadcast sittings over the Internet during 1999-00, and establish electronic document filing facilities.

Links and Visits

During the year under review the Court has maintained its links with courts, judges and legal organisations in the region and around the world. The Court welcomed a number of international visitors, including the Chief Justice of Kuwait, several delegations of senior judges and court administrators from China, judicial delegations from Indonesia, Japan, Korea, the United States of America and Zimbabwe, and government ministers with responsibility for justice matters from countries in Asia and Africa.

Centenary of Federation

Progress continued on the following initiatives to mark Australia's Centenary of Federation in 2001:

- subject to appropriate funding, a proposal to scan, and publish electronically, all High Court judgments prior to 1947, with the help of the Australasian Legal Information Institute (AustLII); and
- contributions to the forthcoming Oxford Companion to the High Court of Australia, a publication being edited by a group of legal scholars from the Australian National University and planned for release in 2001.

Additional proposals for Australia Post and the Royal Australian Mint to include some recognition of the High Court's contribution to Australia's governance in special stamp and coin issues have been deferred until 2003, the centenary of the Court's first sitting.

PART IV – BACKGROUND INFORMATION

Establishment

In 1901 the High Court of Australia was established by Section 71 of the Constitution and, to the extent that legislative provision was necessary, was given the power to administer its own affairs by the *High Court of Australia Act 1979* (“the Act”), which was proclaimed on 21 April 1980. The responsible Minister for the Court’s Administration is the Federal Attorney-General.

Section 71 of the Constitution provides:

“The judicial power of the Commonwealth shall be vested in a Federal Supreme Court, to be called the High Court of Australia, and in such other federal courts as the Parliament creates, and in such other courts as it invests with federal jurisdiction”.

Functions and Powers

The Constitution confers both an appellate and an original jurisdiction upon the High Court. Appeals from the Supreme Courts of the States and Territories, from the Federal Court of Australia and from the Family Court of Australia are heard pursuant to special leave being granted. The Family Court has power to grant special leave to appeal to the High Court but this is rarely exercised. Under the Australian Constitution, the High Court is also the final arbiter upon constitutional questions. Such questions may come on appeal from a lower court or may be initiated by an application to the High Court itself.

Sittings of the Court

The Court conducts its sittings in Canberra and such other places as are determined by Rule of Court made by the Justices in the preceding year. Approximately two-thirds of all sitting days are scheduled in Canberra. In addition, applications for special leave to appeal to the Court are heard regularly in Sydney and Melbourne, and the Court continues the practice, established on its inauguration, of sitting in Brisbane, Adelaide, Perth and Hobart once each year if warranted by the amount of business. When sitting in Sydney, Melbourne, Brisbane and Perth, the Court utilizes facilities in the Commonwealth Law Courts buildings. In Adelaide and Hobart, facilities are provided with the kind cooperation and assistance of the South Australian and Tasmanian Supreme Courts respectively.

The 1999 and 2000 sittings are shown below:

1999

CANBERRA	..	1 February	-	11 February
CANBERRA	..	2 March	-	11 March
CANBERRA	..	22 March	-	25 March
MELBOURNE	..	26 March		
CANBERRA	..	7 April	-	15 April
CANBERRA	..	3 May	-	13 May
CANBERRA	..	15 June	-	17 June
BRISBANE	..	21 June	-	24 June
CANBERRA	..	2 August	-	5 August
ADELAIDE	..	9 August	-	13 August

CANBERRA	..	31 August	-	9 September
CANBERRA	..	28 September	-	7 October
PERTH	..	18 October	-	21 October
CANBERRA	..	9 November	-	18 November
CANBERRA	..	1 December	-	9 December

Sittings to hear applications for special leave to appeal were held at the places and on the days listed below:

SYDNEY	..	12 February		
MELBOURNE	..	12 February		
SYDNEY	..	12 March		
SYDNEY	..	16 April		
CANBERRA	..	16 April (by video-link from Brisbane)		
SYDNEY	..	14 May		
MELBOURNE	..	14 May		
SYDNEY	..	18 June		
CANBERRA	..	18 June (by video-link from Adelaide)		
SYDNEY	..	6 August		
CANBERRA	..	6 August (by video-link from Perth)		
SYDNEY	..	10 September		
MELBOURNE	..	10 September		
SYDNEY	..	8 October		
SYDNEY	..	19 November		
CANBERRA	..	19 November (by video-link from Brisbane and Hobart)		
SYDNEY	..	30 November		
SYDNEY	..	10 December		
MELBOURNE	..	10 December		

2000

CANBERRA	..	31 January	-	10 February
CANBERRA	..	29 February	-	9 March
CANBERRA	..	21 March	-	24 March
CANBERRA	..	4 April	-	13 April
CANBERRA	..	9 May	-	11 May
CANBERRA	..	23 May	-	25 May
CANBERRA	..	13 June	-	15 June
BRISBANE	..	19 June	-	22 June
CANBERRA	..	1 August	-	3 August
ADELAIDE	..	7 August	-	11 August
CANBERRA	..	29 August	-	7 September
CANBERRA	..	3 October	-	12 October
PERTH	..	23 October	-	27 October
CANBERRA	..	14 November	-	23 November
CANBERRA	..	5 December	-	14 December

Sittings to hear applications for special leave to appeal were, or will be, held at the places and on the days listed below:

SYDNEY	..	11 February
MELBOURNE	..	11 February
SYDNEY	..	10 March
CANBERRA	..	10 March (by video-link from Brisbane)
SYDNEY	..	17 March
SYDNEY	..	14 April
CANBERRA	..	14 April (by video-link from Perth)
SYDNEY	..	18 April
CANBERRA	..	12 May (by video-link from Adelaide and Hobart)
SYDNEY	..	26 May
MELBOURNE	..	26 May
SYDNEY	..	30 May
SYDNEY	..	16 June
CANBERRA	..	16 June (by video-link from Perth)
SYDNEY	..	27 June
SYDNEY	..	4 August
CANBERRA	..	6 August (by video-link from Darwin and Perth)
SYDNEY	..	15 August
SYDNEY	..	8 September
MELBOURNE	..	8 September
SYDNEY	..	12 September
SYDNEY	..	13 October
SYDNEY	..	17 October
SYDNEY	..	24 November
SYDNEY	..	28 November
SYDNEY	..	15 December
MELBOURNE	..	15 December
SYDNEY	..	19 December

Seat of the High Court

Section 14 of the Act provides that the seat of the High Court shall be at the seat of Government in the Australian Capital Territory.

The High Court building in Canberra is located on the shores of Lake Burley Griffin, within the Parliamentary Triangle. It is one of Australia's National Buildings and a major tourist attraction. Forty metres tall, it consists of three courtrooms, Justices' Chambers, the Court's principal Registry, library facilities, an administrative wing and a large public hall. Her Majesty Queen Elizabeth II opened the building on 26 May 1980.

Appointment of Justices of the High Court

Under Section 72 of the Constitution, Justices of the High Court:

- are appointed by the Governor-General in Council;
- cannot be removed except by the Governor-General in Council, on an address from both Houses of the Parliament in the same session, praying for such removal on the ground of proved misbehaviour or incapacity;

- receive such remuneration as the Parliament may fix; but the remuneration shall not be diminished during their continuance in office; and
- must retire on attaining the age of seventy years.

Part II of the *High Court of Australia Act 1979* contains further provisions concerning the Court and the Justices including the following:

- the Court is a superior court of record and consists of the Chief Justice and six other Justices appointed by the Governor-General by commission;
- the Attorney-General shall, before an appointment is made to a vacant office, consult with the Attorneys-General of the States in relation to the appointment;
- a person shall not be appointed as a Justice unless:
 - he or she is or has been a Judge of a court created by the Parliament or of a court of a State or Territory; or
 - he or she has been enrolled as a barrister or solicitor, or as a legal practitioner, of the High Court or of a Supreme Court of a State or Territory for not less than 5 years;
- a Justice is not capable of accepting or holding any other office of profit within Australia;
- the Chief Justice and the other Justices shall receive salary and other allowances at such respective rates as are fixed from time to time by the Parliament;
- the salary and annual allowance of a Justice accrue from day to day and are payable monthly;
- the Chief Justice and the other Justices shall receive such allowances in respect of travelling expenses as are provided by the Parliament.

Composition of the Court

The Justices of the High Court for the period to which this report relates, and their dates of swearing in, are:

	<u><i>Date of Swearing In</i></u>
Chief Justice Gleeson	22 May 1998
Justice Gaudron	6 February 1987
Justice McHugh	14 February 1989
Justice Gummow	21 April 1995
Justice Kirby	6 February 1996
Justice Hayne	22 September 1997
Justice Callinan	3 February 1998

Former Chief Justices and Justices of the Court

Apart from the current members of the Court, there have been ten Chief Justices and thirty-two Justices since the Court was established in 1903.

Chief Justices

Sir Samuel Griffith	1903-1919
Sir Adrian Knox	1919-1930
Sir Isaac Isaacs	1930-1931
Sir Frank Gavan Duffy	1931-1935
Sir John Latham	1935-1952
Sir Owen Dixon	1952-1964
Sir Garfield Barwick	1964-1981

Sir Harry Gibbs	1981-1987
Sir Anthony Mason	1987-1995
Sir Gerard Brennan	1995-1998

Justices

Sir Edmund Barton	1903-1920
Richard Edward O'Connor	1903-1912
Sir Isaac Isaacs	1906-1930
Henry Bournes Higgins	1906-1929
Sir Frank Gavan Duffy	1913-1931
Sir Charles Powers	1913-1929
Albert Bathurst Piddington	1913-1913
Sir George Rich	1913-1950
Sir Hayden Starke	1920-1950
Sir Owen Dixon	1929-1952
Herbert Vere Evatt	1930-1940
Sir Edward McTiernan	1930-1976
Sir Dudley Williams	1940-1958
Sir William Webb	1946-1958
Sir Wilfred Fullagar	1950-1961
Sir Frank Kitto	1950-1970
Sir Alan Taylor	1952-1969
Sir Douglas Menzies	1958-1974
Sir Victor Windeyer	1958-1972
Sir William Owen	1961-1972
Sir Cyril Walsh	1969-1973
Sir Harry Gibbs	1970-1981
Sir Ninian Stephen	1972-1982
Sir Anthony Mason	1972-1987
Sir Kenneth Jacobs	1974-1979
Lionel Keith Murphy	1975-1986
Sir Keith Aickin	1976-1982
Sir Ronald Wilson	1979-1989
Sir Gerard Brennan	1981-1995
Sir William Deane	1982-1995
Sir Daryl Dawson	1982-1997
John Leslie Toohey	1987-1998

PART V - ADMINISTRATION

General

Section 17 of the Act makes provision for the High Court to administer its own affairs subject to and in accordance with the Act. Section 46 of the Act provides for the Justices (or a majority of them) to exercise the powers of the High Court and allows the Court to delegate to one or more of the Justices any or all of the powers of the Court set out in the Act.

The administrative functions of the Court are in general discharged by the Chief Executive and Principal Registrar who is appointed by the Governor-General, upon the nomination of the Court, under Section 18 of the Act. The occupant of this position holds office for a period not exceeding 5 years (but is eligible for re-appointment) and has the function of acting on behalf of and assisting the Justices in the administration of the affairs of the Court.

The Court's administration is divided into three Branches, titled the Registry Branch, the Library and Research Branch, and the Marshal's Branch. Figure 1 overleaf shows the Court's organizational structure and gives the names of the senior executives of the Court.

External Scrutiny

1998-99 Annual Report

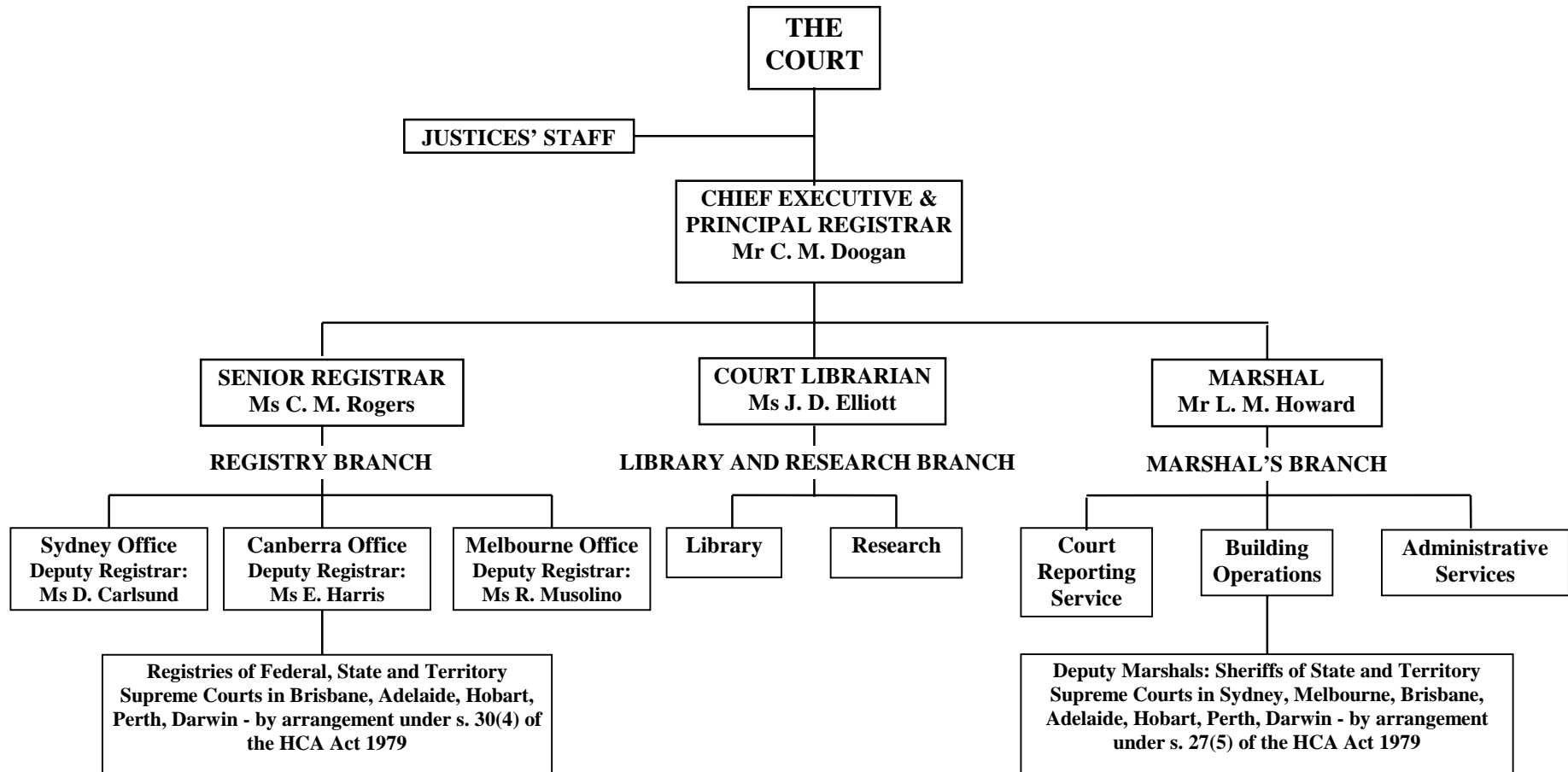
The Court's 1998-99 annual report was submitted to the Attorney-General on 29 October 1999 and tabled in Parliament on 25 November 1999.

Auditor-General's Report

Results of the Auditor-General's audit of the Court's 1998-99 financial statements were reported in Auditor-General's Audit Report No. 21 of 1999-2000, which was submitted to Parliament on 9 December 1999. The results of the audit of the High Court's financial statements were satisfactory and an unqualified audit report was issued.

Figure 1

HIGH COURT OF AUSTRALIA ORGANIZATIONAL CHART



REGISTRY

Functions

The Registry provides administrative services for the judicial activities of the Court. Under the direction of the Principal Registrar, the Registry in Canberra coordinates the case flow management of the judicial workload of the Court.

The Senior Registrar and Deputy Registrars provide information and assistance to practitioners and unrepresented persons on the jurisdiction, practice and procedure of the Court as contained in the Constitution, the *Judiciary Act 1903* and the High Court Rules. They supervise the issue of writs of summons and the filing of applications for prerogative relief in the original jurisdiction and the filing of applications for leave or special leave to appeal and notices of appeal in the appellate jurisdiction of the Court.

The Registry of the Court is situated in Canberra. Offices of the Registry are also located in Sydney, Melbourne, Brisbane, Adelaide, Perth, Hobart and Darwin. Sydney, Melbourne and Canberra Registries are staffed by officers of the Court. Registry functions in Adelaide, Hobart and Darwin are performed by officers of the Supreme Court of the respective States or Territory under ministerial arrangements. Registry functions in Brisbane and Perth are performed by officers of the Federal Court of Australia by arrangement between the Chief Justices of the respective Courts.

Registry Goals

The goals of the Registry are to:

- provide and maintain registry services to the Court, the profession and the public;
- develop and maintain a case flow management program to facilitate the disposition of matters by the Court;
- provide the Chief Justice and Justices with all necessary information relating to matters which are instituted or filed in the Court;
- provide information to the profession and the public about the practice of the Court; and
- carry out all its tasks at the highest attainable levels of professional competence and efficiency.

Registry Workload

A comparison of the number of matters filed in each Registry during 1998-99 and 1999-00 is provided in Table 1. (Reference is made throughout this section to numbered tables located in Annexure B to Part VII of this report.)

Forty-one percent of the matters filed during the year were filed in the Sydney office of the Registry. Fifteen special leave hearing days were held in Sydney during 1999-00 and 27% of the single Justice hearings were conducted in Sydney.

The Melbourne office of the Registry, which processed matters filed in Melbourne, Adelaide and Hobart, accounted for 27% of total filings in 1999-00. Four special leave hearing days were held in Melbourne together with 49% of the single Justice hearings.

The Registry in Canberra processed matters filed in Canberra, Brisbane, Darwin and Perth (accounting for 32% of all filings). The Canberra Registry supervised eleven sittings of the Full Court in Canberra, circuit sittings in Adelaide, Perth and Brisbane and video-link hearings from Adelaide, Brisbane, Hobart and Perth. Twenty-four percent of the single Justice hearings were supervised by the Registry in Canberra.

Registry Services

The Registry in Canberra and the offices of the Registry in Sydney and Melbourne provide a variety of services to the profession, the public and other institutions. Registry staff respond to counter, telephone and written inquiries concerning the status and disposition of cases.

The Registry Service Charter describes the function of the Registry and the standards of service that can be expected from the Registry staff. The Service Charter also provides a system for the resolution of complaints regarding the provision of Registry services. No complaints regarding the level of service provided in the Service Charter were recorded during the reporting year. The Service Charter is available at the Registry in each capital city and on the Court's site on the Internet.

The Court has its own court reporting service and is therefore able to provide a fast and efficient service for parties and other interested persons who may wish to purchase copies of transcripts of cases heard by the Court. In addition, transcript of cases heard can be accessed from the Court's site on the Internet, the address of which is <http://www.hcourt.gov.au>. Paper copies of transcripts of recent cases are kept in the Canberra, Sydney and Melbourne offices, and transcripts of past cases may be ordered through those offices. The cost of transcripts is provided in the High Court of Australia (Fees) Regulations.

When the Court delivers judgments, copies are immediately available from the Canberra, Sydney and Melbourne offices and are provided to the parties and the media free of charge. Additional copies can be purchased, at the fee prescribed in the Regulations, by the parties and the public in the Canberra, Sydney and Melbourne offices of the Registry. This service is also provided if the Court delivers judgment when sitting in other cities. The Court's home page on the Internet also provides access to judgments on the day they are delivered by the Court.

All legal practitioners in Australia who wish to practise in federal courts or State or Territory courts exercising federal jurisdiction are required to have their names entered in the Register of Practitioners maintained by the Principal Registrar in Canberra. The Registry provides an information service to practitioners advising them of their entitlement to practise in federal courts, the procedure for having their name entered on the register and, if required, providing them with certificates of good standing to enable them to seek admission in other jurisdictions. The names of 1,591 new practitioners were added to the register in 1999-00, an increase of 19% over the previous year.

The demand for registry services, such as the purchase of judgments and transcripts, remained at a high level during 1999-00, as did inquiries concerning the registration of practitioners on the Register of Practitioners and the status of matters pending before the Court. Registry staff received both oral and written commendations for the courteous and efficient way in which these services were provided.

Rules of Court

The Justices have the responsibility for making Rules of Court which prescribe the annual sittings of the Court, regulate all matters of practice and procedure in the Court and prescribe the various forms to be used for proceedings of the Court. The Justices also consider the recommendations of the Federal Costs Advisory Committee in respect of the fees to be recovered by practitioners practising in the High Court for the work done by them in relation to proceedings in the Court. A Rule adopting the recommendations of the Committee is introduced when such recommendations are accepted.

The High Court Rules which govern the practice and procedure of the Court are kept under review by the Rules Committee with the assistance of the Registry. The Court consults with interested persons and organizations when any significant changes are contemplated to the Rules.

Rules of Court are made and promulgated as Commonwealth Statutory Rules. Copies of the Rules are distributed to all legal publishers, law societies and bar associations immediately a Rule is made, and copies are available in all offices of the Registry, and on the Internet, for the information of the profession and the public.

The Court made the following Rules of Court in 1999-00:

- Statutory Rule No 197 of 1999 – Amendment to Second Schedule (Costs); and
- Statutory Rule No 425 of 1999 – Annual Sittings of the High Court.

The Court issued the following Practice Direction during 1999-00:

- Practice Direction No 1 of 2000 – Written Submissions and Authorities: All Full Court Matters Except Removal Applications or Leave or Special Leave Applications.

Caseflow Management

Orders 69A and 70 of the High Court Rules impose time standards for the filing of applications for special leave to appeal and appeals. The Rules were introduced to give more control over caseflow management by providing time standards for the various stages in the preparation of special leave applications and appeals.

Applications for special leave to appeal and appeals constitute only part of the High Court's workload. Many cases involve other procedures such as applications under s75(v) of the Constitution against officers of the Commonwealth, removals under s40 of the *Judiciary Act 1903*, cases stated, references under s18 of the *Judiciary Act 1903*, and electoral petitions. Cases governed by these procedures include cases arising under the Constitution or involving its interpretation. Table 2 provides a breakdown of the categories of matters filed during 1998-99 and 1999-00.

The conduct of the case by the parties, the need to give priority to those cases which require urgent disposition, and the resources available in the Registry, may all affect the time between the filing and hearing of matters. In addition, a special leave application or an appeal may be filed and no further steps taken pending a grant of legal aid or the pronouncement of judgment by a lower court in a related case.

The period between filing and the time when a matter is ready for hearing influences, but does not necessarily determine, the time at which matters are heard. The listing of matters for hearing is influenced by the volume of cases filed and the need to accord priority to those matters requiring urgent resolution. Furthermore, the parties may agree that a matter should be heard at the next annual sitting of the Court in the State or Territory in which the matter originated or may agree that a special leave application be heard by video-link when there are sufficient matters to justify a video-link hearing.

Tables 23 to 28 provide a comparison, for each category of matter during the 1998-99 and 1999-00 reporting periods, of the elapsed period between the date of filing of matters to the date they were ready for hearing, the elapsed time between matters being ready for hearing and the date of hearing, and the elapsed time between the date of hearing and the date of decision. The total elapsed time from the date of filing to the date of decision is provided in the final column of each table.

Judicial Workload of the Court

Tables 7 and 8 provide details of the total matters heard by the High Court during 1998-99 and 1999-00, together with a breakdown of the categories of those matters. Tables 13 and 14 provide details of the total number of decisions of the Court delivered during 1998-99 and 1999-00 together with a breakdown of the categories of those decisions by type of matter.

Tables 3 to 6 provide a comparison by Registry and by court appealed from of all appellate matters filed during 1998-99 and 1999-00. Tables 9 to 12 provide a breakdown by Registry and court appealed from of all appellate matters heard during 1998-99 and the reporting period. The results of appellate matters decided during 1998-99 and 1999-00 are recorded in Tables 16, 16A, 18, 18A, 20, 20A, 22 and 22A.

The Court sits as the Court of Disputed Returns to try petitions disputing the validity of elections or returns of persons to the House of Representatives or the Senate. There were no election petitions filed during 1999-00.

A comparison of the number of matters heard by a single Justice during 1998-99 and the reporting year is recorded in Table 29. A breakdown of the categories of matters heard by a single Justice during 1999-00 is provided in Table 30. Thirteen percent of applications heard by a single Justice during the reporting period involved unrepresented persons.

Cost of Litigation

Court Fees and Charges

Fees and charges in the High Court form an integral part of litigation costs and, since 1 April 1992, have been set by the High Court of Australia (Fees) Regulations on the initiative of the Attorney-General. Fees payable for filing, issuing or sealing a document in an office of the Registry of the High Court, or for obtaining a document or service, are set out in Schedule 1 of the Regulations. The schedule of fees payable as at 30 June 2000 is included in Annexure C to Part VII of this report.

Waiver of fees

The person liable to pay a filing or hearing fee may apply to a Registrar to have the fee waived, upon grounds specified in the Regulations. The grounds include financial hardship, grant of legal aid and entitlement as a card holder issued by the Departments of Family and Community Services and Veterans' Affairs. A refusal by a Registrar to waive a fee may be reviewed by the Administrative Appeals Tribunal. There were no refusals to waive a fee in the reporting period.

Between 1 July 1999 and 30 June 2000 a total of 747 matters attracting a filing fee and/or hearing fees were filed in the Court. Of these, 329 matters, or 44%, were exempt from payment of fees, resulting in a total of \$327,014 being forgone for the payment of filing and hearing fees. The composition of this total is shown in Annexure C to Part VII of this report.

Professional Costs

The allowable professional costs of, and incidental to, the steps in proceedings in the High Court are contained in the Second Schedule to the High Court Rules and are approved by the Court on the recommendation of the Federal Costs Advisory Committee. The Schedule in operation since 1 October 1999 is included in Annexure C to Part VII of this report.

The Court has limited access to information about the actual costs involved in litigation. The information that it has is confined to costs which have been taxed and allowed on a party and party basis by taxing officers pursuant to an order of the Court. However, costs orders do not necessarily reflect the total cost to the litigant and are not made in all cases. Bills of costs are not lodged for taxation in all matters that come before the Court, as the parties may agree on the costs to be paid by the unsuccessful party. In some cases there are statutory provisions to the effect that costs should not be ordered; costs are not usually awarded in criminal cases, and in constitutional cases costs are sometimes the subject of agreement between governments.

Taxation of costs

Bills of costs presented for taxation typically include filing and hearing fees, barristers' fees, travelling and accommodation expenses incurred by barristers and their instructing solicitors and solicitors' charges for work done in connection with proceedings in the Court.

There is a considerable spread of fees charged. Not all fees and charges are subsequently allowed on taxation. By way of illustration, during the reporting period a bill of costs in a Sydney appeal (including the related application for special leave to appeal) was presented for taxation seeking an amount of \$79,433. Of this amount, \$64,140 was allowed on taxation. Also in Sydney, a bill relating to an application for special leave to appeal and the subsequent appeal was claimed at \$81,618. This amount was reduced to \$66,106 on taxation. A bill relating to an appeal in a Perth matter was claimed at \$21,673. This amount was reduced to \$20,506 on taxation.

LIBRARY AND RESEARCH BRANCH

Functions

The functions of the Library and Research Branch are to :

- assemble and maintain collections to assist the Court in its work;
- provide a reference and research service of a high standard to the Justices of the Court;
- provide library facilities to legal practitioners appearing before the Court;
- keep itself informed and to maintain contact with other libraries and information sources which can supplement the reference and research material in the Library's own collection; and
- devise and implement retrieval systems which will improve the reference and research service.

Goals

The goals of the Library and Research Branch are to:

- acquire and organise efficiently library material in accordance with the requirements of the Court; and
- provide high quality and timely reference and research services to the Justices.

Reference and Research

New Zealand Court of Appeal Decisions

An arrangement was made with the Court of Appeal in New Zealand for all decisions of that Court as delivered to be e-mailed directly to the High Court. This has enabled the Research Officer to have the most recent cases available for inclusion in the *Overseas Decisions* bulletin.

Corporations Law CD-ROM

A CD-ROM containing the Corporations Law was added to the network in December. The new CD-ROM provides a search facility for the text and saves time in researching corporations cases.

Collection Development and Organisation

Legislation on Dynix

Entering of all legislation records on to the Dynix Library System was completed in August 1999.

Internet Supplier

Ordering new books via the Internet commenced in May using Amazon.com Books. This supplier gives the Court access to a wide range of titles and some special prices.

IALL Conference in Melbourne

In September 1999 the Court Librarian, as a member of the Board of the International Association of Law Libraries (IALL), was involved in organising the program and assisting in the running of the 18th IALL Course of International Law Librarianship. The course, entitled “Australasian Law and Librarianship” was held at the Old Treasury Building, Melbourne, and attracted 48 participants from Canada, the United States, Denmark, Barbados and Hong Kong, as well as many Australian law librarians.

ALLG Pacific Twinning Scheme

In June and July 1999 the Court Librarian, under the auspices of the aid organisation Australian Expert Service Overseas Program, spent two weeks visiting the Court's twin library at the High Court of Kiribati in order to organise and catalogue the collection and to train a library assistant to maintain the library.

During the year, sets of *All England Reports* were shipped to the High Court libraries in Fiji and Kiribati and several boxes of texts were sent to Goroka, Papua New Guinea.

Federal Court Library Review

From December to May the Court Librarian assisted the Federal Court of Australia by undertaking collection analysis of the network libraries in all States as part of a review of the Federal Court Library in conjunction with Ms Brenda McConchie from AIMA Training and Consulting Services.

Moys Classification Revision

In May 2000 the Court Librarian, as coordinator for the 4th edition of *Moys Classification and Thesaurus for Legal Materials*, collated and despatched to the Editorial Board in England 11 pages of suggestions for changes to the previous edition from Australian and New Zealand law libraries.

MARSHAL'S BRANCH

Functions

The Marshal's Branch provides financial, personnel and corporate management services to the Court. It also provides court reporting services and is responsible for the operation, security and maintenance of the High Court building and its precincts.

In addition to corporate management responsibilities, the Marshal is responsible under Section 27 of the *High Court of Australia Act 1979* for:

- the service and execution of all writs, summonses, orders, warrants, precepts, process and commands of the Court that are directed to him; and
- taking, receiving and detaining all persons who are committed to his custody by the Court, and for discharging all such persons when directed by the Court or otherwise required by law.

A Deputy Marshal may, subject to any direction of the Marshal, exercise any power or perform any function of the Marshal.

Marshal's Branch Goals

The goals of the Marshal's Branch are to:

- provide high-quality and responsive financial, human resource, technical and general administrative services to the Court;
- manage and maintain a national building;
- ensure the safety and well-being of persons employed in or visiting premises under the control of the High Court; and
- provide, in a timely and economic manner, an accurate transcript of the proceedings of the High Court to the Justices, legal practitioners, litigants and other interested parties.

Financial Management

Financial Services

It has been an extraordinarily busy year for the Court's finance staff, with the occurrence of four major developments directly affecting the delivery of financial services. These were:

1. implementation of accrual budgeting;
2. implementation of a new financial management system;
3. the predicted Year 2000 computer problem; and
4. preparations for the new taxation system which took effect on 1 July 2000.

The federal government's change to accrual budgeting from 1999-00 has broadened the focus of the Court's financial management and necessitated a number of changes to both internal and external reporting. A new set of internal financial reports was developed, and an education program was undertaken for staff involved in managing the Court's budget. In addition, revised monitoring systems were put in place to maintain appropriate control over key aspects of the new budgetary system.

Following a six month testing and implementation program, the Court's new Sun Systems financial management and information system commenced operation on 1 July 1999. The

transition from the previous system went smoothly, and feedback from finance staff indicates the new system is more flexible, powerful and efficient.

During the period between July and November 1999, work intensified on the avoidance of possible damage to the Court's financial management systems from the advent of the year 2000. In the end, no problems at all were experienced from this event, with the Court's financial management systems continuing to operate as normal.

Much work was conducted in the last six months of the year on preparations for the start of the government's new taxation system on 1 July 2000. This initiative places a number of new requirements on the Court's financial operations, and in order to meet these obligations it was necessary to:

- develop and test a new set of operating procedures for the Court's financial management system;
- implement a training program for all staff involved in the Court's financial transactions; and
- liaise at length with the Australian Taxation Office, and the Department of Finance and Administration, to ensure full compliance with the new tax laws.

By early June 2000, the Court was able to report that it was fully prepared for the implementation of the new tax system.

Resources

The table below details the 1999-00 financial and staffing resources applied to the Court's "outputs" and "outcomes", together with the budgeted resources for 2000-01. The Court has a single output, "High Court Business", contributing toward the overall outcome which is "interpreting and upholding the Australian Constitution and performing the functions of the ultimate appellate Court in Australia". The bulk of the resources are applied towards a capital use charge paid annually to the Department of Finance and Administration.

	1999-00 Budget \$'000	1999-00 Actual \$'000	2000-01 Budget \$'000
Administered Items			
Court fees and charges collected	795	860	795
LESS: fees and charges remitted to Official Public Account	795	860	795
Net contribution or cost to outcome	-	-	-
High Court Output			
Output 1.1 – High Court Business:			
- Justices' remuneration and allowances*	1 887	1 903	1 887
- High Court administration	24 722	24 722	24 767
Revenue from Government appropriations	26 609	26 625	26 654
Revenue from other sources:			
- High Court administration	140	648	610
Total price of output	26 749	27 273	27 264
TOTAL PRICE OF OUTCOME			

(output and administrative item)	26 749	27 273	27 264
Staff years (in full-time equivalent positions)	83.0	76.6	78.0

* Justices remuneration and allowances are paid out of Special Appropriations. These appropriations are administered by the Attorney-General's Department and thus do not form part of the Court's financial statements in Part VI of this report.

Audit of Accounts and Procedures

The Court maintains procedures for both the internal and external scrutiny of accounts and administrative procedures. An Internal Auditor, reporting directly to the Chief Executive and Principal Registrar, systematically reviews compliance with the Court's approved operating procedures, the efficiency of administrative systems and the adequacy of accounting controls throughout the year in accordance with an agreed program. In addition, the Internal Auditor provides specialist advice on financial management matters, as required, to the Chief Executive and Principal Registrar.

In accordance with subsection 47(2) of the *High Court of Australia Act 1979* the Auditor-General annually conducts an independent audit of the Court's financial statements in order to express an opinion on them to the Attorney-General. The Auditor-General's report on the Court's 1999-2000 financial statements can be found at Part VI of this report.

Consultants

During the year, expenditure totalling \$110,694 was incurred in relation to three consultancy contracts. Of this amount, \$50,000 was incurred in relation to a complete review of the High Court Rules by a former Justice of the High Court, The Honourable John Toohey, AC. An additional \$49,236 was paid to Systems Union Pty Ltd for assistance with implementation of a new financial management system, and \$11,458 was paid to Unisys Australia Limited for Year 2000 compliancy testing.

Advertising and Market Research

During the year, \$12,000 was paid to Canberra Tourism and Events Corporation, and \$2,850 to the National Capital Attractions Association, for tourism-related advertising. No other funds were paid to market research organizations, polling organizations, media advertising organizations or direct mail organizations during the period.

Human Resource Management

Terms and Conditions of Employment

Staff of the High Court are employed under the *High Court of Australia Act 1979*. Subsection 26(4) of the Act provides for the terms and conditions of Court staff to be determined by the Court itself. These terms and conditions are generally similar to those applying in the Australian Public Service.

The Court's fifth Certified Agreement with staff nominally expired on 30 June 2000. A sixth Agreement, settled under s170LK of the *Workplace Relations Act 1996*, was listed for a certification hearing before the Australian Industrial Relations Commission on 14 July 2000.

This Agreement contains pay increases totalling 7% over two years, together with a staff sign-on bonus. Senior staff of the Court continue to be covered by Australian Workplace Agreements.

Workplace Diversity

Performance against the standards contained in the Court's Workplace Diversity Program 1998-2001 continued at a satisfactory level. The percentage of women in the Court's administration increased to 65%, and the proportion of women at the senior management levels continued to rise, and is now at 66%. The percentage of staff from a non-English speaking background fell slightly to 20% while those with disabilities remained at 1%.

Staffing Overview

At Annexure D to Part VII of this report are tables giving an overview of the numbers of men and women in full-time and part-time employment in the Court's administration, and the composition of staff by salary classification.

Industrial Democracy

The Court is committed to the principles and practices of Industrial Democracy which results in participative management practices throughout all areas of the Court. A Joint Consultative Committee serves as the formal mechanism for consultation on a broad range of industrial democracy issues. For several years now the Committee has formed the basis of the negotiation team to work with management in developing Certified Agreements.

Occupational Health and Safety (OH&S)

The Court has developed a comprehensive OH&S policy that meets the requirements of the *Occupational Health and Safety (Commonwealth Employment) Act 1991*. The policy outlines the mechanisms required for a healthy and safe working environment. During the year, the Court reviewed and updated its OH&S Policy, and distributed copies of the new policy to all staff.

There were no accidents or dangerous occurrences requiring notice under Section 68, and no investigations into OH&S accidents were required during the year. No directions or notices were given to the Court under Sections 30, 36, 45 and 47 of the *Occupational Health and Safety (Commonwealth Employment) Act 1991* during the year.

Information Technology

Year 2000 Problem

The major focus of the Court's IT effort in the first half of the year was the potential Year 2000 problem. Assisted by special funding from the federal government, almost \$100,000 was spent in testing, updating and checking each of the numerous hardware and software components of the Court's computer systems. In some cases, entire components were replaced; in others, modifications were made to existing components; and in a few cases, no changes were considered necessary. Contingency plans were developed in case of interruptions to critical systems or loss of important data. Happily, all critical dates occurring so far have passed without incident. No interruptions to services have been experienced, no data has been lost, and the Court's operations have not been affected.

Other Developments

A number of other developments occurred during the year in the IT area, as follows:

1. new network hardware was installed for the Sun Systems financial management system;
2. work was completed on protocols to allow payroll operations to be conducted over a secure Internet connection to the Court's payroll service provider;
3. the Court's main computer room was refurbished in order to provide a better organised, safer and more secure environment;
4. enhancements were made to anti-virus systems to better protect the Court's network firewall and electronic mail gateway;
5. enhancements were made to the case management system to improve system performance and allow efficient database management;
6. the Court's video link facilities were upgraded from 128Kb to 384Kb capacity. This has resulted in improved picture quality and sound synchronisation.
7. development continued on the Court's Internet Home Page, with two databases re-designed to enhance user-friendliness and several documents converted to Portable Document Format to preserve their original look when down-loaded;
8. technical investigations were conducted on implementing a better searching facility on the Court's Internet Home Page and on the possibilities for broadcasting Court sittings over the Internet.

Court Reporting Service

Operation

The goal of the Court Reporting Service (CRS) is to provide, in a timely and efficient manner, an accurate transcript of the proceedings of the High Court to the Justices. Copies are available for sale to legal practitioners, litigants and other interested parties. The transcript is usually available for distribution in paper form within two hours of the Court rising each sitting day, and within 48 hours from the Court's Internet home page.

The High Court's transcript is a verbatim record of its proceedings and includes the full text of citations referred to by counsel during the hearings.

Staffing

The CRS comprises two full-time reporters (for staff supervision, training and transcription verification), up to nine sessional court reporting officers (for word processing and transcription monitoring duties) and the part-time services of a technical officer (for equipment maintenance duties).

Developments

As a result of the Court's increased judicial workload (covered elsewhere in this report), court reporting staff have had their busiest year on record. A total of 601 individual transcripts, containing 11,608 pages, were produced - an increase of 42% over the number of transcripts produced in 1998-99. In the face of this rapidly increasing workload, the Court is currently reviewing its transcript production methods with a view to keeping the CRS's impressive efficiency record intact.

During the year, the CRS continued work on re-formatting older transcripts of proceedings and publishing them on the Court's Internet site. As at 30 June 2000, more than 2,900 transcripts, dating back to January 1995, were available.

Building Operations

Security Services

A significant upgrade of the High Court building's external security systems was completed in June 2000. This involved the placement of additional cameras at strategic points on the building's perimeter and the installation of time-lapse recording equipment. This has enabled 24-hour monitoring of all parts of the building's exterior.

Facilities Management

During the year, the High Court building's environment monitoring system was upgraded from the original system installed more than 20 years ago. The new system includes sophisticated new computer software which monitors and controls the building's air-conditioning to maintain a stable internal environment whilst improving energy efficiency.

In addition to the new building management system, independent air-conditioning units were installed in the building's main computer room and the court reporting monitoring rooms. The units ensure a closely-controlled environment for the sensitive electronic equipment contained in these rooms.

In response to the potential Year 2000 problem, all building systems were checked and tested for compliance during the first half of the year. Modifications were made to several systems, including elevator controls, security equipment and the building's internal clocks. In addition, contingency plans were developed in case services such as telecommunications, electricity, gas, water and sewerage were interrupted. In the event, no problems were experienced to any building systems and no services were interrupted.

Public Information Services

The number of visitors to the building during the year totalled 114,964, a pleasing increase of 11.5% over the previous year. In addition, 5 cultural exhibitions or displays and 31 other functions were held in the building in accordance with the Court's guidelines on use of the building. The cultural exhibitions comprised displays sponsored by the Embassy of the People's Republic of China, the University of Canberra and the Canberra Institute of Technology.

PART VI - FINANCIAL STATEMENTS 1999-2000

INDEPENDENT AUDIT REPORT

To the Attorney-General

Scope

I have audited the financial statements of the High Court of Australia for the year ended 30 June 2000. The financial statements comprise:

- Report by the Chief Executive and Principal Registrar of the High Court and the Court's Finance Officer;
- Agency Operating Statement, Balance Sheet, Statement of Cashflows, Schedule of Commitments and Schedule of Contingencies;
- Statements of Administered Revenues and Expenses, Assets and Liabilities and Cashflows, and Schedules of Administered Commitments and Contingencies; and
- Notes to and forming part of the Financial Statements.

The Chief Executive and Principal Registrar of the High Court and the Court's Finance Officer are responsible for the preparation and presentation of the financial statements and the information they contain. I have conducted an independent audit of the financial statements in order to express an opinion on them to you.

The audit has been conducted in accordance with Australian National Audit Office Auditing Standards, which incorporate the Australian Auditing Standards, to provide reasonable assurance as to whether the financial statements are free of material misstatement. Audit procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial statements, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion as to whether, in all material respects, the financial statements are presented fairly in accordance with Australian Accounting Standards, other mandatory professional reporting requirements and statutory requirements in Australia so as to present a view of the entity which is consistent with my understanding of its financial position, the results of its operations and its cash flows.

The audit opinion expressed in this report has been formed on the above basis.

Audit Opinion

In accordance with sub-section 47(2) of the *High Court of Australia Act 1979*, I now report that the financial statements are in agreement with the accounts and records of the High Court of Australia, and in my opinion:

- (i) the statements are based on proper accounts and records;
- (ii) the statements present fairly in accordance with applicable Accounting Standards and other mandatory professional reporting requirements and Schedule 2 of the Finance Minister's Orders, of
 - the financial position of the Court as at 30 June 2000, and the results of its operations and cash flows for the year then ended; and
 - the Commonwealth assets and liabilities as at 30 June 2000 and the revenue, expenses and cash flows of the Commonwealth for the year then ended, which have been administered by the Court, and
- (iii) the receipt, expenditure and investment of moneys, and the acquisition and disposal of assets, by the Court during the year have been in accordance with the *High Court of Australia Act 1979*.

Australian National Audit Office



Puspa Dash
Senior Director

Delegate of the Auditor-General

Canberra
16 August 2000

HIGH COURT OF AUSTRALIA

Report by the Chief Executive & Principal Registrar and the Finance Officer of the High Court of Australia on the Financial Statements for the year ended 30 June 2000.

The accompanying financial statements of the High Court of Australia for the year ended 30 June 2000 have been prepared as required by Section 47 (1) of the *High Court of Australia Act 1979* and include:

- Operating Statement;
- Balance Sheet;
- Statement of Cash Flows;
- Schedule of Commitments;
- Schedule of Contingencies; and
- Notes to and forming part of the Financial Statements.

In our opinion, the attached financial statements give a true and fair view of the matters required by Schedule 2 to the Finance Minister's Orders made under the *Commonwealth Authorities and Companies Act 1997* for the year ended 30 June 2000.



C.M. Doogan
Chief Executive and
Principal Registrar

16 August 2000



C.J. Saunders
Accountant

16 August 2000

HIGH COURT OF AUSTRALIA
OPERATING STATEMENT FOR THE YEAR ENDED 30 JUNE 2000

	Notes	2000	1999
		\$	\$
Operating revenues			
Revenues from Government	4A	24,722,000	7,667,000
Sales of goods and services	4B	101,482	90,598
Interest on deposit		546,405	40,050
Other		-	65,045
Total operating revenues		25,369,887	7,862,693
Operating Expenses			
Employees	5	3,957,624	3,840,511
Suppliers	6	3,513,258	3,121,306
Depreciation and amortisation	7	1,788,682	1,846,198
Net loss on sale of assets	8	2,366	44,209
Net write-down of assets	9	78,559	-
Total operating expenses		9,340,489	8,852,224
Net Operating Surplus/(Deficit)		16,029,398	(989,531)
Net surplus/(deficit) attributable to the Commonwealth		16,029,398	(989,531)
Accumulated (deficits)\surpluses at the beginning of the reporting period		(578,202)	411,329
Total available for appropriation		15,451,196	(578,202)
Capital use provided for or paid		(15,793,000)	-
Accumulated deficits at the end of the reporting period		(341,804)	(578,202)

The above statement should be read in conjunction with the accompanying notes.

**HIGH COURT OF AUSTRALIA
BALANCE SHEET AS AT 30 JUNE 2000**

	Notes	2000 \$	1999 \$
ASSETS			
Financial Assets			
Cash	11	1,177,910	33,955
Receivables	12	99,999	11,184
Other	14	483	882
Total financial assets		1,278,392	46,021
Non-financial Assets			
Land and buildings	13A	121,500,000	123,000,000
Plant and equipment	13B	2,637,802	2,590,359
Inventories		1,540	630
Intangibles	13C	146,807	173,982
Library Holdings	13D	7,520,933	6,663,653
Other	14	133,002	49,138
Total non-financial assets		131,940,084	132,477,762
Total assets		133,218,476	132,523,783
LIABILITIES			
Provisions and Payables			
Employees	15	1,006,624	870,758
Suppliers	16	490,447	192,358
Unearned Revenue		24,340	-
Total provisions and payables		1,521,411	1,063,116
Total Liabilities		1,521,411	1,063,116
EQUITY			
Capital	17	52,836,540	52,836,540
Asset revaluation reserve	17	79,202,329	79,202,329
Accumulated deficits	17	(341,804)	(578,202)
Total equity		131,697,065	131,460,667
Total liabilities and equity		133,218,476	132,523,783
Current liabilities		1,002,784	562,805
Non-current liabilities		518,627	500,311
Current assets		1,412,934	95,789
Non-current assets		131,805,542	132,427,994

The above statement should be read in conjunction with the accompanying notes.

HIGH COURT OF AUSTRALIA
STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30 JUNE 2000

	Notes	2000	1999
		\$	\$
OPERATING ACTIVITIES			
Cash received			
Appropriations		24,722,000	7,667,000
Sales of goods and services		77,829	91,351
Interest		481,243	39,953
Other		-	65,045
Total cash received		25,281,072	7,863,349
Cash used			
Employees		(3,821,758)	(3,854,767)
Suppliers		(3,275,204)	(3,074,996)
Total cash used		(7,096,962)	(6,929,763)
Net cash from operating activities	18	18,184,110	933,586
INVESTING ACTIVITIES			
Cash received			
Proceeds from sales of plant and equipment		409	12,134
Cash used			
Purchase of plant and equipment		(1,247,564)	(927,731)
Net cash used in investing activities		(1,247,155)	(915,597)
FINANCING ACTIVITIES			
Cash received			
		-	-
Cash used			
Capital use paid		(15,793,000)	-
Net cash used in financing activities		(15,793,000)	-
Net increase in cash held		1,143,955	17,989
Cash at the beginning of the reporting period		33,955	15,966
Cash at the end of the reporting period	11	1,177,910	33,955

The above statement should be read in conjunction with the accompanying notes.

HIGH COURT OF AUSTRALIA
SCHEDULE OF COMMITMENTS AS AT 30 JUNE 2000

	Notes	2000	1999
		\$	\$
BY TYPE			
CAPITAL COMMITMENTS			
ADP software		10,500	-
ADP equipment		6,285	-
Total capital commitments		16,785	-
OTHER COMMITMENTS			
Operating leases		660,270	649,751
Other commitments		33,636	-
Total other commitments		693,906	649,751
COMMITMENTS RECEIVABLE			
GST receivable		(64,608)	-
Net commitments		646,083	649,751
BY MATURITY			
All net commitments			
One year or less		351,280	291,240
From one to two years		183,481	162,413
From two to five years		111,322	195,438
Over five years		-	660
Net commitments		646,083	649,751
Operating lease commitments			
One year or less		305,472	291,240
From one to five years		294,774	358,511
Over five years		-	-
Net operating lease commitments		600,246	649,751

NB: All 1999-00 commitments are GST inclusive where relevant. The comparatives have not been adjusted to reflect the GST.

Operating leases included are effectively non-cancellable and comprise:

- agreements for the provision of motor vehicles to officers;
- lease of computer equipment; and
- lease of office equipment.

The above statement should be read in conjunction with the accompanying notes.

HIGH COURT OF AUSTRALIA
SCHEDULE OF CONTINGENCIES AS AT 30 JUNE 2000

As at 30 June 2000 there are no contingencies which create uncertainty as to possible gain or loss for the High Court of Australia.

HIGH COURT OF AUSTRALIA			
STATEMENT OF ADMINISTERED REVENUES AND EXPENSES			
FOR THE YEAR ENDED 30 JUNE 2000			
	Notes	2000	1999
		\$	\$
Operating revenues			
Taxation			
Fees and charges	4C	859,676	669,351
Total taxation		859,676	669,351
Total non-taxation		-	-
Total operating revenues		859,676	669,351
Net contribution to the Budget Outcome		859,676	669,351
Transfer to the Official Public Account		(859,676)	(669,351)
Net surplus		-	-
Accumulated results at the beginning of the reporting period		-	-
Accumulated results at the end of the reporting period		-	-

HIGH COURT OF AUSTRALIA
STATEMENT OF ADMINISTERED ASSETS AND LIABILITIES
AS AT 30 JUNE 2000

There were no administered assets or liabilities as at 30 June 2000.

The above statement should be read in conjunction with the accompanying notes.

**HIGH COURT OF AUSTRALIA
STATEMENT OF ADMINISTERED CASH FLOWS
FOR THE YEAR ENDED 30 JUNE 2000**

	Notes	2000	1999
		\$	\$
OPERATING ACTIVITIES			
Cash received - Fees	4C	859,676	669,351
Cash used - Cash to the Official Public Account		(859,676)	(669,351)
Net cash from operating activities		-	-
<i>Net increase in cash held</i>		-	-
Cash at the beginning of the reporting period		-	-
<i>Cash at the end of the reporting period</i>		-	-

**HIGH COURT OF AUSTRALIA
SCHEDULE OF ADMINISTERED COMMITMENTS
AS AT 30 JUNE 2000**

There were no administered commitments as at 30 June 2000.

**HIGH COURT OF AUSTRALIA
SCHEDULE OF ADMINISTERED CONTINGENCIES
AS AT 30 JUNE 2000**

There were no administered contingencies as at 30 June 2000.

The above schedule should be read in conjunction with the accompanying notes.

HIGH COURT OF AUSTRALIA

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

1.1 Basis of Accounting

The financial statements are a general purpose financial report. They have been prepared in accordance with *Requirements for the Preparation of Financial Statements of Commonwealth Agencies and Authorities* made by the Minister for Finance and Administration in August 1999 (Schedule 2 to the Commonwealth Authorities and Companies (CAC) Orders).

The financial statements of the High Court of Australia (the Court) have been prepared:

- in accordance with Australian Accounting Standards, other authoritative pronouncements of the Accounting Standards Boards (Accounting Guidance Releases) and the consensus views of the Urgent Issues Group; and
- having regard to Statements of Accounting Concepts, and the Explanatory Notes to Schedule 2 issued by the Department of Finance and Administration.

The financial statements have been prepared on an accrual basis and are in accordance with historical cost convention, except for certain assets which, as noted, are at valuation. Except where stated, no allowance is made for the effect of changing prices on the results or on the financial position.

1.2 Administered Items

The Court administers the collection of Court fees and charges on behalf of the Commonwealth. The level of these fees and charges is set by the Executive Government, pursuant to the *High Court of Australia (Fees) Regulations 1991*. The revenues from these fees and charges are not available to be used by the Court for its own purposes and are remitted to the Commonwealth's Official Public Account. Transactions and balances relating to these fees are reported as Administered Items.

1.3 Reporting by Outcomes

A comparison of Budget and Actual figures by outcome specified in Appropriation Act No.1 is presented in Note 2, "Reporting by Segments and Outcomes". Any intra-government costs included in the figure "net cost to Budget outcomes" are eliminated in calculating the actual budget outcome for the Government overall.

1.4 Taxation

The Court is exempt from all forms of taxation except fringe benefits tax and the goods and services tax.

1.5 Appropriations

From 1 July 1999, the Commonwealth Budget has been prepared under an accruals framework. Under this framework, Parliament appropriates moneys to the Court as revenue appropriations.

Revenues from government are revenues of the core operating activities of the Court. Appropriations for outputs are recognised as revenue to the extent that they have been received into the Court's bank account or are entitled to be received by the Court at year end.

1.6 Other Revenue

Revenue from the sale of goods is recognised upon the delivery of goods to customers.

Interest revenue is recognised on a proportional basis taking into account the interest rates applicable to the financial assets.

Revenue from the disposal of non-current assets is recognised when control of the asset has passed to the buyer.

1.7 Employee Entitlements

The liability for employee entitlements includes provision for annual leave and long service leave. No provision has been made for sick leave as all sick leave is non-vesting and average sick leave taken in future years by employees is estimated to be less than the annual entitlement for sick leave.

The liability for annual leave reflects the value of total annual leave entitlements of all employees at 30 June 2000 and is recognised at its nominal value.

The liability for long service leave is recognised and measured at the present value of the estimated future cash flows to be made in respect of all employees at 30 June 2000. In determining the present value of the liability, attrition rates and pay increases through promotion and inflation have been taken into account.

1.8 Leases

Operating lease payments are expensed on a basis which is representative of the pattern of benefits derived from the leased assets.

1.9 Cash

Cash includes notes and coins held and deposits held at call with a bank.

1.10 Financial Instruments

Accounting policies in relation to financial instruments are disclosed in Note 24.

1.11 Non-Current Assets

Asset recognition threshold

The Court's policy is to capitalise all building improvements whose purchase price exceeds \$10,000 and all other non-current assets whose purchase price exceeds \$2,000. The asset recognition threshold is a change in accounting policy. In the preceding period, the Court's policy was to capitalise all building improvements whose purchase price exceeded \$5,000 and all other non current assets whose purchase price exceeded \$1,000. The financial effect of the change in accounting policy is the recognition of an expense of \$117,787 in the Operating Statement of the current reporting period. This expense comprises amounts that were recognised as assets in the previous period rather than expensed in accordance with the treatment had the new threshold always applied. The expense of \$117,787 is broken down by asset class in Note 9, "Net Write-down of Assets".

Intangibles

Internally developed and externally acquired computer software for internal use are initially recognised and capitalised at the cost of development or acquisition. These costs of development or acquisition are amortised over the useful life of the asset.

Revaluations

Non-current assets are reported at cost unless otherwise stated. The High Court building, the land on which it is situated, and the Court's library holdings are re-valued every three years. In addition, a valuation of artworks was completed for the first time in June 1997 when the artworks were brought to account. The application of the deprival method values land at its current market buying price and other revalued assets at their depreciated replacement cost.

The table below shows the date of last valuation for each class of asset.

<u>Asset Class</u>	<u>Date of last Valuation</u>
Land	June 1998
Buildings	June 1998
Library holdings	June 1998
Artworks	June 1997

Recoverable amount test

The carrying amount of each item of non-current property, plant and equipment assets is reviewed to determine whether it is in excess of the asset's recoverable amount. If an excess exists as at the reporting date, the item is written down to recoverable amount immediately. This financial year there were no assets that failed the recoverable amount test.

Depreciation and amortisation

Depreciation/amortisation rates (useful lives) and methods are reviewed at each balance date and necessary adjustments are recognised in the current, or current and future reporting periods, as appropriate. Residual values are re-estimated for a change in prices only when assets are revalued.

The aggregate amount of depreciation allocated for each class of asset during the reporting period is disclosed in Note 7.

Depreciation/amortisation is calculated on the straight-line method according to the estimated useful lives of depreciable assets.

Depreciation/amortisation rates applying to each class of depreciable assets are as follows:

Land	Nil
Art, prints and artefacts	Nil
Library Collection – heritage items	Nil
Library Collection – non-heritage items	0.5%
Building	1%
Furniture and fittings	10%
Building improvements	10%
Office equipment	10%
General and technical equipment	10%
ADP equipment	20%
Intangibles	20%

1.12 Foreign currency transactions

Transactions denominated in a foreign currency are converted at the rate of exchange prevailing at the date of the transaction.

1.13 Comparative figures

Comparative figures have been adjusted to conform with changes in presentation in the financial statements.

Comparatives are not presented in the notes dealing with Reporting on Outcomes due to 1999-2000 being the first year of the implementation of accrual budgeting.

1.14 Capital Usage Charge

A capital usage charge of 12% is imposed by the Commonwealth on the net assets of the Court. The charge is adjusted to take account of asset gifts and revaluation increments during the financial year.

2. REPORTING BY SEGMENTS AND OUTCOMES

The Court operates solely in Australia and is structured to meet one outcome:

To interpret and uphold the Australian Constitution and to perform the functions of the ultimate appellate court in Australia.

Reporting by Outcomes for 1999-2000

	Outcome 1	
	Budget	Actual
Total net administered expenses	-	-
Add: Net cost of entity outputs	8,653,000	8,692,602
Net cost to budget outcome	8,653,000	8,692,602
Total assets deployed as at 30/6/00	132,703,000	133,218,476
Net assets deployed as at 30/6/00	131,723,000	131,697,065

Reporting by Outcomes by funding source for 1999-2000

Outcomes	Outputs			Expense against Revenue from other sources (C)	Total Expenses against Outputs	Total Appropriations	Total Expenses
	Special Appropriation	Annual Appropriation Acts	Total				
	Expenses against revenue from Government (Appropriations) (B)					(D) = (B)	
Outcome 1							
Total Actual	-	(1)	(1)	(1)	9,340,409	(1)	9,340,409
Total Budget	-	(1)	(1)	(1)	9,189,000	(1)	9,189,000

(1) It is not possible to identify expenses against specific funding sources.

3. ECONOMIC DEPENDENCY

The Court is dependent on appropriations from the Parliament of the Commonwealth for its continued existence and ability to carry out its normal activities.

4. OPERATING REVENUES

4A - Revenues from Government

The Court received the following appropriation during the year out of the Consolidated Revenue Fund.

	2000	1999
	\$	\$
Annual Appropriation Act No.1	24,722,000	7,667,000
TOTAL	24,722,000	7,667,000

4B - Sales of Goods and Services

The item "Sales of goods and services" in the Operating Statement consists of the following:

	2000	1999
	\$	\$
Food service operator's license fee	40,360	40,280
Subscriptions to Court transcripts and judgments	15,450	9,700
Room hire	39,900	39,300
Other revenue	5,772	1,318
TOTAL	101,482	90,598

The item "Other" in the Operating Statement consists of the following:

	2000	1999
	\$	\$
Miscellaneous revenue	-	45
Govt. grant for year 2000 compliance rectification	-	65,000
TOTAL	-	65,045

4C - Fees and Charges

The item "Fees and charges" in the Statement of Administered Revenues and Expenses consists of the following:

	2000	1999
	\$	\$
Filing and hearing fees	720,303	534,172
Sales of judgements and transcripts	47,469	70,202
Practitioners certificates	34,390	30,306
Taxing of costs	41,760	23,468
Other	15,754	11,203
TOTAL	859,676	669,351

5. EMPLOYEES EXPENSES

This item in the Operating Statement consists of:

	2000	1999
	\$	\$
Salaries, wages & allowances	3,395,685	3,422,448
Employer's superannuation contribution	457,442	439,503
Provision for long service leave	45,831	(25,986)
Provision for recreation leave	58,666	4,546
TOTAL	3,957,624	3,840,511

The salaries and allowances paid to the Chief Justice and other Justices of the Court are provided from special appropriations under the control of the Attorney-General's Department. These payments are not included in the financial statements of the Court.

The Court is an approved authority for the purposes of the *Superannuation Act 1976* of the Commonwealth, which requires permanent officers and, on election, eligible employees, to contribute to either the Commonwealth Superannuation Scheme or the Public Sector Superannuation Scheme. Benefits payable on retirement, disability, or death under these schemes consist of either a pension or a lump sum or a combination of both. The Court is required to make an employer contribution to the Commonwealth on a regular basis for each contributor. The employer contribution is calculated as a percentage of contributors' salaries, estimated by the Commonwealth to be sufficient to meet the Court's share of benefits liability under the schemes. Throughout the 1999-00 financial year, contributions were fixed at a rate of 18.2% for the Commonwealth Superannuation Scheme and 11.4% for the Public Sector Superannuation Scheme. An additional 3%, on average, is contributed for employer productivity benefits.

6. SUPPLIERS EXPENSES

Included in Operating Expenses are the following Suppliers Expenses:

	2000	1999
	\$	\$
Supply of goods and services	3,201,270	2,854,418
Operating lease rentals	311,988	266,888
TOTAL	3,513,258	3,121,306

7. DEPRECIATION AND AMORTISATION

The aggregate amounts of depreciation or amortisation allocated during the reporting period, either expensed or as part of the carrying amount of other assets, for each class of depreciable asset, are as follows:

	2000	1999
	\$	\$
Building and building improvements	1,580,088	1,566,351
Plant and equipment	111,098	192,404
Library holdings	35,179	30,826
Intangibles	62,317	56,617
TOTAL	1,788,682	1,846,198

8. ASSET DISPOSALS

Asset disposals were as follows:

	2000		1999	
	\$		\$	
	Sale Price	Gain/(Loss)	Sale Price	Gain/(Loss)
	\$	\$	\$	\$
ADP equipment	405	405	7,950	(46,094)
Office equipment	4	(2,771)	670	(1,485)
General & technical equipment	-	-	500	357
Other equipment	-	-	3,013	3,013
TOTAL	409	(2,366)	12,133	(44,209)

9. NET WRITE-DOWN OF ASSETS

	2000	1999
	\$	\$
Change in Accounting Policy		
Building improvements	4,506	-
Plant & equipment	107,552	-
Intangibles	5,729	-
	117,787	-
Asset Write-off		
Plant & equipment	15,894	-

Depreciation Write-back

Plant & equipment

(55,122)

-

TOTAL

78,559

-

10. RESOURCES PROVIDED FREE OF CHARGE

The High Court building in Canberra, completed in 1980 at a cost of \$46.5 million, was transferred free of charge to the control of the Court. The current value of the building, the land on which it is situated, and building improvements made since April 1980 are shown in the Balance Sheet.

The Federal Court of Australia and State Supreme Courts provide the Court with hearing rooms and chambers in various States as required, primarily while the Court is on circuit. In addition, the National Capital Authority provides ground maintenance services to the Court in Canberra. The value of this assistance is not shown in the accounts.

11. CASH

The amount in the Balance Sheet is represented by:

	2000	1999
	\$	\$
Funds on deposit in the General Account held with the Reserve Bank of Australia	1,165,460	24,505
Cash on hand in the form of permanent advances	12,450	9,450
TOTAL	1,177,910	33,955

12. RECEIVABLES

The item "Receivables" in the Balance Sheet represents:

	2000	1999
	\$	\$
Interest receivable on the General Account	67,999	2,837
Trade debtors	24,330	8,347
GST receivable	7,670	-
TOTAL	99,999	11,184

Trade Debtors which are overdue are aged as follows:

	2000	1999
	\$	\$
Not Overdue	20,581	8,347
Overdue by:		
- less than 30 days	531	-
- 30 to 60 days	1,425	-
- 60 to 90 days	313	-
- more than 90 days	1,480	-
TOTAL	24,330	8,347

13. PROPERTY, PLANT AND EQUIPMENT

The figures shown in the Balance Sheet represent the written-down value of property, plant, and equipment as at 30 June 2000 as follows:

	2000	1999
	\$	\$
13A: Land		
Land at June 1998 valuation	4,500,000	4,500,000
Total Land	<u>4,500,000</u>	<u>4,500,000</u>
Buildings		
Buildings at June 1998 valuation	150,000,000	150,000,000
Accumulated depreciation	<u>(33,000,000)</u>	<u>(31,500,000)</u>
Total buildings	<u>117,000,000</u>	<u>118,500,000</u>
Total Land and Buildings	<u>121,500,000</u>	<u>123,000,000</u>
13B: Plant and Equipment		
Plant and equipment at cost	4,313,088	4,555,289
Accumulated depreciation	<u>(1,675,286)</u>	<u>(1,964,930)</u>
Total Plant and Equipment	<u>2,637,802</u>	<u>2,590,359</u>
13C: Intangibles		
Intangibles at cost	436,226	422,483
Accumulated depreciation	<u>(289,419)</u>	<u>(248,501)</u>
Total Intangibles	<u>146,807</u>	<u>173,982</u>
13D: Library Holdings		
Library at June 1998 valuation	5,845,646	5,845,646
Accumulated depreciation	<u>(57,410)</u>	<u>(28,705)</u>
Sub-total (a)	<u>5,788,236</u>	<u>5,816,941</u>
Acquisitions at cost	1,741,292	848,833
Depreciation on acquisitions	<u>(8,595)</u>	<u>(2,121)</u>
Sub-total (b)	<u>1,732,697</u>	<u>846,712</u>
Total Library Holdings	<u>7,520,933</u>	<u>6,663,653</u>

13E.

Summary of balances of assets at valuation as at 30 June 2000

	Land	Buildings	Total Land & Buildings	Total Plant & Equipment	Library	Total Plant, Equipment and Library Holdings	Intangibles	Total
	\$	\$	\$	\$	\$	\$	\$	\$
As at 30 June 2000								
Gross value	4,500,000	150,000,000	154,500,000	-	5,845,646	5,845,646	-	160,345,646
Accumulated depreciation/ amortisation	n/a	(33,000,000)	(33,000,000)	-	(57,410)	(57,410)	-	(33,057,410)
Net book value	4,500,000	117,000,000	121,500,000	-	5,788,236	5,788,236	-	127,288,236
As at 30 June 1999								
Gross value	4,500,000	150,000,000	154,500,000	-	5,845,646	5,845,646	-	160,345,646
Accumulated depreciation/ amortisation	n/a	(31,500,000)	(31,500,000)	-	(28,705)	(28,705)	-	(31,528,705)
Net book value	4,500,000	118,500,000	123,000,000	-	5,816,941	5,816,941	-	128,816,941

13F.

1999-00 Movements summary for all assets irrespective of valuation basis

	Land	Buildings	Total Land & Buildings	Plant & Equipment	Library Holdings	Total Plant, Equipment & Library	Intangibles	Total
	\$	\$	\$	\$	\$	\$	\$	\$
Gross value as at 1 July 1999	4,500,000	150,000,000	154,500,000	4,555,289	6,694,479	11,249,768	422,483	166,172,251
Additions	-	-	-	319,230	892,459	1,211,689	35,875	1,247,564
Disposals	-	-	-	(37,169)	-	(37,169)	-	(37,169)
Write-downs	-	-	-	(524,262)	-	(524,262)	(22,132)	(546,394)
Gross value as at 30 June 2000	4,500,000	150,000,000	154,500,000	4,313,088	7,586,938	11,900,026	436,226	166,836,252
Accumulated depreciation/ Amortisation as at 1 July 1999	-	31,500,000	31,500,000	1,964,930	30,826	1,995,756	248,501	33,744,257
Depreciation/amortisation Charge for assets held 1 July 1999	-	1,500,000	1,500,000	174,056	32,948	207,004	56,413	1,763,417
Depreciation/amortisation Charge for additions	-	-	-	17,130	2,231	19,361	5,904	25,265
Adjustment for disposals	-	-	-	(34,394)	-	(34,394)	-	(34,394)
Write-downs	-	-	-	(446,436)	-	(446,436)	(21,399)	(467,835)
Accumulated depreciation/ Amortisation as at 30 June 2000	-	33,000,000	33,000,000	1,675,286	66,005	1,741,291	289,419	35,030,710
Net book value as at 30 June 2000	4,500,000	117,000,000	121,500,000	2,637,802	7,520,933	10,158,735	146,807	131,805,542
Net book value as at 1 July 1999	4,500,000	118,500,000	123,000,000	2,590,359	6,663,653	9,254,012	173,982	132,427,994

14. OTHER ASSETS

The amounts shown as “Other” in the Balance Sheet represent the following:

	2000	1999
	\$	\$
FINANCIAL ASSETS		
Library vouchers	483	882
NON-FINANCIAL ASSETS		
Prepaid expenses	133,002	49,138
TOTAL	<u>133,485</u>	<u>50,020</u>

15. LIABILITIES TO EMPLOYEES

The item “Employees” shown in the Balance Sheet is comprised of:

	2000	1999
	\$	\$
Salaries and wages	93,663	64,729
Superannuation	8,912	6,477
Annual leave	345,789	287,123
Long service leave	558,260	512,429
TOTAL	<u>1,006,624</u>	<u>870,758</u>

16. LIABILITIES TO SUPPLIERS

The item “Suppliers” shown in the Balance Sheet is comprised of:

	2000	1999
	\$	\$
Trade creditors and accruals	477,017	186,723
Operating lease rentals	13,430	5,635
TOTAL	<u>490,447</u>	<u>192,358</u>

17. EQUITY

	Capital \$	Accumulated Results \$	Asset Revaluation Reserve \$	Total Equity \$
Balance 1 July 1999	52,836,540	(578,202)	79,202,329	131,460,667
Surplus	-	236,398	-	236,398
Net revaluation increase/ (decrease)	-	-	-	-
Transfers to/(from) reserve	-	-	-	-
Changes in accounting Policies	-	-	-	-
BALANCE 30 JUNE 2000	52,836,540	(341,804)	79,202,329	131,697,065

18. CASH FLOW RECONCILIATION

Reconciliation of operating surplus to net cash provided by operating activities:

	2000	1999
	\$	\$
Operating surplus/(deficit)	16,029,398	(989,531)
Depreciation of property, plant and equipment	1,726,369	1,789,581
Amortisation of intangible assets	62,317	56,617
Loss on sale of property, plant and equipment	2,366	44,209
Net write-down of property, plant and equipment	78,555	-
Changes in assets and liabilities:		
Increase/(decrease) in employees provisions	135,866	(7,951)
Increase/(decrease) in trade creditors	322,429	(10,848)
(Increase)/decrease in prepayments	(83,864)	47,632
(Increase)/decrease in inventories	(910)	(395)
(Increase)/decrease in receivables	(88,416)	4,272
Net cash provided by operating activities	18,184,110	933,586

19. REMUNERATION OF AUDITORS

The Australian National Audit Office provides external auditing services to the Court. For the audit of the financial statements for the year ended 30 June 2000, the audit fee was \$22,000 (1998-99: \$22,000).

No other services were provided by the Australian National Audit Office during the reporting period.

20. PUBLIC MONEY IN THE CUSTODY OF THE COURT

Suitors' Funds:

These are funds paid into the Court under an order of the Court or a Justice of the Court.

	2000	1999
	\$	\$
Balance as at 1 July 1999	7,000	2,000
Amount received	25,000	5,000
Amount deducted/paid out	(2,545)	-
Balance as at 30 June 2000	29,455	7,000

Interest Bearing Deposits:

This account represents a payment which was made by an appellant as security for costs.

	2000	1999
	\$	\$
Balance as at 1 July	23,425	22,628
Interest received during the year	200	797
Amount paid out	(23,625)	-
Balance as at 30 June	-	23,425

21. REMUNERATION OF OFFICERS

	2000	1999
	\$	\$
Income received or due and receivable by officers:	582,605	560,114

The number of officers included in these figures are shown below in the relevant income band.

Income Band	2000 Number	1999 Number
\$110,001 - \$120,000	2	3
\$120,001 - \$130,000	1	
\$200,001 - \$210,000	1	1

22. ADMINISTRATION OF THE COURT

The Court is administered by the Justices, who are assisted by the Chief Executive and Principal Registrar of the Court.

Chief Justice

The Honourable Murray Gleeson, AC

Justices

The Honourable Mary Gaudron

The Honourable Michael McHugh, AC

The Honourable William Gummow, AC

The Honourable Michael Kirby, AC, CMG

The Honourable Kenneth Hayne

The Honourable Ian Callinan

Chief Executive and Principal Registrar

C.M. Doogan

Under Section 10 of the *High Court of Australia Act 1979* a Justice is not capable of accepting or holding any other office of profit within Australia. No related party transactions have occurred during the 1999-00 financial year.

23. AFTER BALANCE DATE EVENTS

No events have occurred after balance date that affect the financial statements.

24. FINANCIAL INSTRUMENTS

a) Terms, conditions and accounting policies

Financial Instruments	Notes	Accounting Policies and Methods	Nature of Underlying Instrument
<i>(i) Financial Assets</i>			
Cash at bank	11	Cash is recognised at the nominal amount and interest is credited to revenue as it accrues.	Interest is calculated on a daily balance and credited monthly.
Trade debtors	12	Receivables are recognised at the nominal amounts due.	Credit terms are net 30 days.
GST receivable	12	Receivables are recognised at the nominal amounts due.	Credit terms are 14 days following the lodgement of the Business Activity Statement.
Library vouchers	14	Library vouchers are carried at their face value.	Library vouchers are exchanged as payment for inter-library loan services. They can be converted to cash if required.
<i>(ii) Financial Liabilities</i>			
Trade creditors and accruals	16	Creditors and accruals are recognised at their nominal amounts, being the amounts at which the liabilities will be settled. Liabilities are recognised to the extent that the goods or services have been received.	Settlement is usually made net 30 days.

(b) Interest Rate Risk

Financial Instrument	Notes	Floating Interest Rate		Fixed Interest Rate								Non Interest Bearing		Total		Weighted Average Effective Interest Rate	
				1 year or less		1 to 2 years		2 to 5 years		> 5 years						99-00	98-99
		99-00	98-99	99-00	98-99	99-00	98-99	99-00	98-99	99-00	98-99	99-00	98-99	99-00	98-99	99-00	98-99
		\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	%	%
Financial Assets																	
Cash at bank	11	1,166	25	-	-	-	-	-	-	-	-	-	-	1,166	25	4.96	4.05
Cash on hand	11	-	-	-	-	-	-	-	-	-	-	12	9	12	9	n/a	n/a
Trade debtors	12	-	-	-	-	-	-	-	-	-	-	24	8	24	8	n/a	n/a
Interest Receivable	12	68	2	-	-	-	-	-	-	-	-	-	-	68	2	4.96	4.05
GST receivable	12	-	-	-	-	-	-	-	-	-	-	8	-	8	-	n/a	n/a
Library vouchers	14	-	-	-	-	-	-	-	-	-	-	-	1	-	1	n/a	n/a
Total Financial Assets		1,234	27	-	-	-	-	-	-	-	-	44	18	1,278	45		
Financial Liabilities																	
Trade Creditors and Accruals	16	-	-	-	-	-	-	-	-	-	-	490	192	490	192	n/a	n/a
Total Financial Liabilities		-	-	-	-	-	-	-	-	-	-	490	192	490	192		

(c) Net fair values of Financial Assets and Liabilities

Financial Assets	Notes	Total carrying amount		Aggregate net fair value	
		1999-00	1998-99	1999-00	1998-99
		\$	\$	\$	\$
Cash at bank	11	1,165,460	24,505	1,165,460	24,505
Cash on hand	11	12,450	9,450	12,450	9,450
Trade debtors	12	24,330	8,347	24,330	8,347
Interest receivable	12	67,999	2,837	67,999	2,837
GST receivable	12	7,670	-	7,670	-
Library vouchers	14	483	882	483	882
Total Financial Assets		1,278,392	46,021	1,278,392	46,021
Financial Liabilities					
Trade creditors & accruals	16	490,447	192,357	490,447	192,357
Total Financial Liabilities		490,447	192,357	490,447	192,357

(d) Credit Risk Exposures

The Court's maximum exposure to credit risk at reporting date in relation to each class of recognised financial asset is the carrying amount of those assets as indicated in the Balance Sheet.

The Court has no significant exposures to any concentrations of credit risk.

PART VII - ANNEXURE A

FREEDOM OF INFORMATION ACT 1982 - SUPPLEMENTARY MATERIAL

Parts IV and V of this Report provide information about the establishment, functions, objectives and organization of the High Court and its administration. Other information required by Section 8 of the *Freedom of Information Act 1982* follows.

Categories of Documents

The High Court Registry maintains the following categories of documents:

- documents relating to appeals and applications lodged or matters heard by the Court, including application and appeal books, some exhibits, transcripts and copies of judgments;
- registers and indexes in bound volumes and card systems;
- the Register of Practitioners;
- statistical information;
- internal working documents and correspondence.

The following categories of documents are open to public access in accordance with an enactment other than the *Freedom of Information Act* where that access is subject to a fee or other charge: documents filed or lodged at the High Court Registry (Order 58, rules 8(2) and 9(1) of the High Court Rules).

The following categories of documents are available for purchase by the public in accordance with arrangements referred to below:

- transcripts of proceedings before the Court;
- reasons for judgment;
- photocopies of Court documents which are available for search (Order 58, rule 8(2)).

Apart from library materials, the Library maintains administrative records concerning the availability, acquisition, maintenance and disposal of library materials.

The Marshal's Branch maintains the following categories of documents:

- accounts, records, contracts and other documents arising from the Court's exercise of its power under Section 17 of the Act;
- personnel records and associated correspondence;
- internal working documents and correspondence.

FOI Procedures and Initial Contact Points

FOI contact officers will assist applicants to identify the particular documents they seek. The availability of some Court documents will be affected by Section 5 of the *Freedom of Information Act* which states that the Act does not apply to any request for access to a document of the Court unless the document relates to matters of an administrative nature. However, Order 58, rules 8(2) and 9(1) of the High Court Rules allow access to documents filed or lodged in the High Court Registry, Canberra, or offices of the Registry in State capitals upon payment of a prescribed fee.

If a request is to be refused on grounds appearing in Sections 15(2) or 24(1) of *the Freedom of Information Act* (insufficient information or unreasonable diversion of resources), applicants will be notified and given an opportunity for consultation. The only officers authorized to deny access to documents are the Chief Executive and Principal Registrar and the Marshal of the High Court of Australia. If an applicant resides some distance from any point at which access is normally provided, consideration will be given to alternative arrangements with a view to reducing inconvenience to the applicant.

Enquiries concerning access to documents or other matters relating to freedom of information should be directed to the following officer:

Marshal
High Court of Australia
Parkes Place
Parkes ACT 2600

OR:

PO Box E435
Kingston ACT 2604

Telephone (02) 6270 6983 or facsimile (02) 6270 6868.

Business hours are from 8:30am to 5:00pm.

Facilities for Access

Facilities for examining documents and obtaining copies are available at the addresses shown below. Information about the facilities available to assist people with disabilities to obtain access to documents can be obtained from the following officers:

Registry matters - Senior Registrar:
telephone (02) 6270 6862 or facsimile (02) 6273 3025

Marshal's Branch matters - Marshal:
telephone (02) 6270 6983 or facsimile (02) 6270 6868

If necessary, special arrangements can be made with the above officers to overcome any difficulties in physical access.

Publications produced for the High Court are usually available through Australian Government Bookshops. They may be inspected at the High Court building. Brochures on the High Court are available free of charge from Attendants at the High Court building. Documents open to public inspection subject to a fee or other charge are available at the following offices:

- Registry of the High Court, Parkes Place, Parkes, ACT 2600.
- Office of the High Court Registry, 19th Floor, Law Courts Building, Queens Square, Sydney NSW 2000.

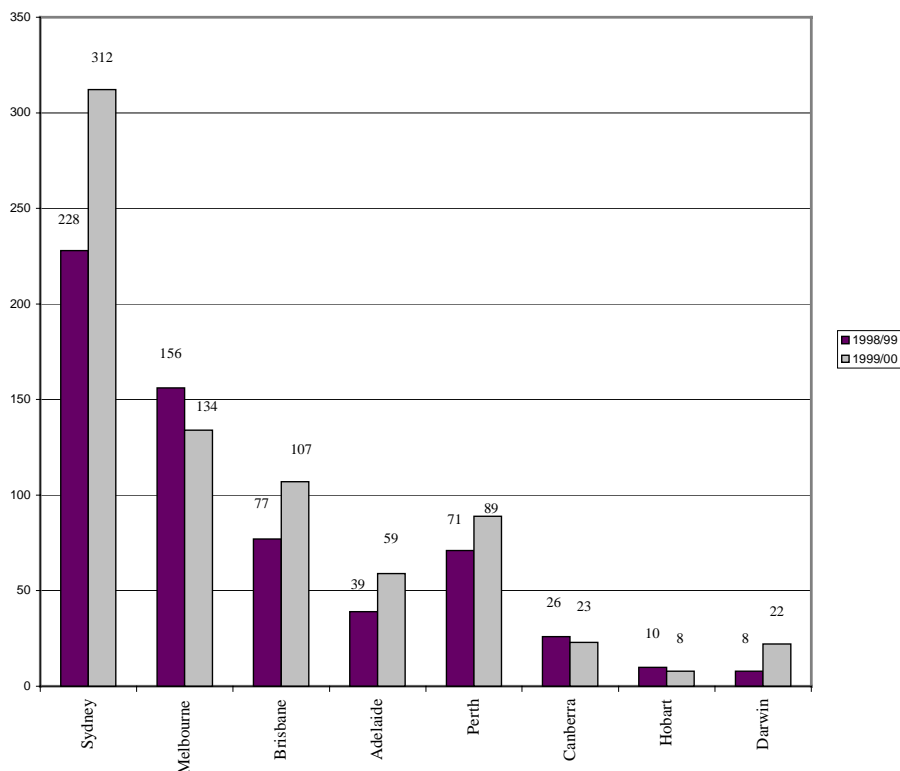
- Office of the Registry, Level 17, Commonwealth Law Courts Building, 305 William Street, Melbourne Vic 3000.
- Office of the Registry, Level 6, Commonwealth Law Courts Building, 119 North Quay, Brisbane Qld 4000.
- Office of the Registry, Supreme Court, 301 King William Street, Adelaide SA 5000.
- Office of the Registry, Level 6, Commonwealth Law Courts Building, Victoria Avenue, Perth WA 6000.
- Office of the Registry, Supreme Court, Salamanca Place, Hobart Tas 7000.
- Office of the Registry, Supreme Court, Mitchell Street, Darwin NT 0800.

PART VII - ANNEXURE B

TABLES OF JUDICIAL WORKLOAD

1. Total matters filed in all jurisdictions
2. Categories of matters filed in all jurisdictions
3. Civil special leave applications filed
4. Criminal special leave applications filed
5. Civil appeals filed
6. Criminal appeals filed
7. Total matters heard in all jurisdictions
8. Categories of matters heard in all jurisdictions
9. Civil special leave applications heard
10. Criminal special leave applications heard
11. Civil appeals heard
12. Criminal appeals heard
13. Total decisions related to matters filed in all jurisdictions
14. Categories of decisions related to matters filed in all jurisdictions
15. Civil special leave applications decided
16. Results of civil special leave applications decided
- 16A Results of civil special leave applications decided showing lower courts
17. Criminal special leave applications decided
18. Results of criminal special leave applications decided
- 18A Results of criminal special leave applications decided showing lower courts
19. Civil appeals decided
20. Results of civil appeals decided
- 20A Results of civil appeals decided showing lower courts
21. Criminal appeals decided
22. Results of criminal appeals decided
- 22A Results of criminal appeals decided showing lower courts
23. Elapsed time for civil special leave applications finalised
24. Elapsed time for civil appeals finalised
25. Elapsed time for criminal special leave applications finalised
26. Elapsed time for criminal appeals finalised
27. Elapsed time for constitutional matters and electoral petitions finalised
28. Elapsed time for orders nisi and applications referred to Full Court finalised
29. Matters heard before a single Justice
30. Categories of matters heard before a single Justice

1. TOTAL MATTERS FILED IN ALL JURISDICTIONS



2. CATEGORIES OF MATTERS FILED IN ALL JURISDICTIONS

<u>Category:</u>	1998-99	1999-00
Special Leave Applications (Civil)	302	394
Special Leave Applications (Criminal)	105	125
Appeals (Civil)	44	50
Appeals (Criminal)	20	15
Writ of Summons ^[1]	20	47
Applications for Removal of Cause ^[2]	25	26
Orders Nisi and Applications Referred to Full Court ^[3]	82	90
Electoral Act ^[4]	10	0
Other ^[5]	7	7
TOTAL	615	754

[1] Of the 20 writs of summons issued in 1998-99, 1 was discontinued and 6 were remitted to another Court during the same year. Of the 47 writs of summons issued in 1999-00, 2

were remitted to another Court during the same year. Matters are remitted pursuant to Section 44 of the *Judiciary Act 1903* (Cth).

- [2] Applications made in accordance with Section 40 of the *Judiciary Act 1903* (Cth).
- [3] Applications made within the original jurisdiction of the Court conferred by Section 75(v) of the Constitution. Applications are governed by Order 55 of the High Court Rules and include applications directed to be made by Notice of Motion to a Justice in Court or to a Full Court in accordance with Order 55 Rule 2.
- [4] Election Petitions filed pursuant to Section 353(1) of the *Commonwealth Electoral Act 1918* with the Court sitting as the Court of Disputed Returns.
- [5] Including causes removed pursuant to S40 of the *Judiciary Act 1903* (Cth) and ex parte applications for leave to issue proceedings where a Justice has directed, pursuant to Order 58 rule 4 of the High Court Rules, that the Registrar refuse to issue the proceedings without the leave of a Justice first had and obtained by the party seeking to issue it.

3. CIVIL SPECIAL LEAVE APPLICATIONS FILED

	Court Appealed From									
	Federal Court		Family Court		Supreme Court		High Court		TOTAL	
Registry:	98-99	99-00	98-99	99-00	98-99	99-00	98-99	99-00	98-99	99-00
Sydney	55	74 ^[1]	6	10	75	94	1	10	137	188
Melbourne	27	28	8	12	23	25	2	1	60	66
Brisbane	8	10	4	0	21	25	0	0	33	35
Adelaide	4	2	1	0	11	24	1	1	17	27
Perth	5	19	1	1	23	33	0	0	29	53
Canberra	14	10	1	1	0	0	1	0	16	11
Hobart	3	1	0	0	5	5	0	0	8	6
Darwin	0	5	0	1	2	2	0	0	2	8
TOTAL	116	149	21	25	160	208	5	12	302	394

[1] Includes 1 application filed in the Industrial Relations Court

4. CRIMINAL SPECIAL LEAVE APPLICATIONS FILED

Registry:	Court Appealed From					
	Federal Court		Supreme Court		TOTAL	
	98-99	99-00	98-99	99-00	98-99	99-00
Sydney	-	-	33	39	33	39
Melbourne	-	-	13	25	13	25
Brisbane	-	-	22	27	22	27
Adelaide	-	-	15	8	15	8
Perth	-	-	16	20	16	20
Canberra	0	4	3 ^[1]	-	3	4
Hobart	-	-	1	1	1	1
Darwin	-	-	2	1	2	1
TOTAL	0	4	105	121	105	125

[1] Applications for special leave to appeal from the Supreme Court of Nauru.

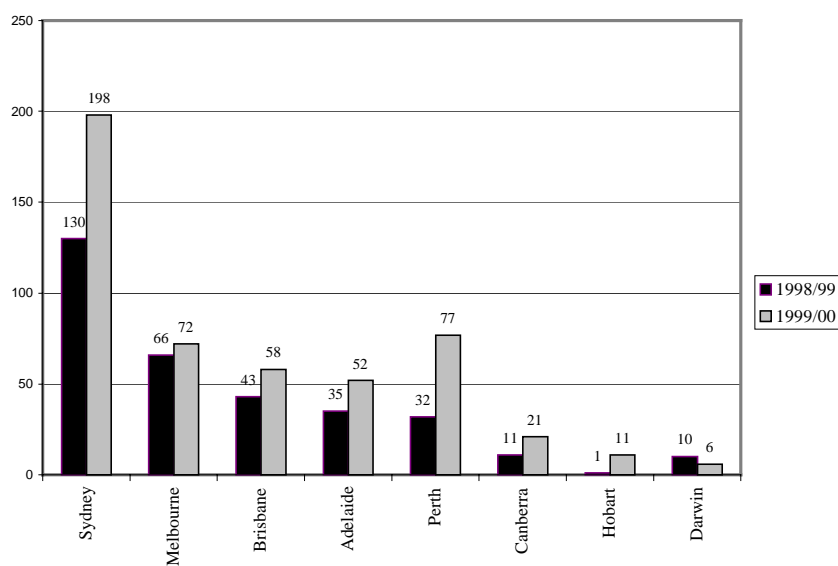
5. CIVIL APPEALS FILED

Registry:	Court Appealed From									
	Federal Court		Family Court		Supreme Court		High Court		TOTAL	
	98-99	99-00	98-99	99-00	98-99	99-00	98-99	99-00	98-99	99-00
Sydney	9	12	1	0	7	8	0	0	17	20
Melbourne	7	6	0	0	3	3	0	1	10	10
Brisbane	2	1	0	0	1	4	0	0	3	5
Adelaide	1	0	0	0	2	4	0	0	3	4
Perth	4	2	0	1	3	4	0	0	7	7
Canberra	4	2	0	1	0	0	0	0	4	3
Hobart	0	0	0	0	0	1	0	0	0	1
Darwin	0	0	0	0	0	0	0	0	0	0
TOTAL	27	23	1	2	16	24	0	1	44	50

6. CRIMINAL APPEALS FILED

Registry:	Court Appealed From					
	Federal Court		Supreme Court		TOTAL	
	98-99	99-00	98-99	99-00	98-99	99-00
Sydney	-	-	6	7	6	7
Melbourne	-	-	1	2	1	2
Brisbane	-	-	2	1	2	1
Adelaide	-	-	3	3	3	3
Perth	-	-	6	2	6	2
Canberra	0	0	-	-	0	0
Hobart	-	-	0	0	0	0
Darwin	-	-	2	0	2	0
TOTAL	0	0	20	15	20	15

7. TOTAL MATTERS HEARD IN ALL JURISDICTIONS



8. CATEGORIES OF MATTERS HEARD IN ALL JURISDICTIONS

Category:	1998-99	1999-00
Special Leave Applications (Civil)	163	297
Special Leave Applications (Criminal)	88	114
Appeals (Civil)	42	47
Appeals (Criminal)	19	20
Constitutional & Other Full Court Matters ^[1]	1	6
Applications for Removal of Cause ^[2]	5	4
Orders Nisi and Applications Referred to Full Court ^[3]	8	6
Electoral Act ^[4]	2	1
TOTAL	328	495

[1] Including matters proceeding to hearing by way of a Case Stated or Questions Reserved for the consideration of the Full Court pursuant to Section 18 of the *Judiciary Act 1903* (Cth) and causes removed in accordance with Section 40 of the *Judiciary Act 1903* (Cth).

[2] Applications made in accordance with Section 40 of the *Judiciary Act 1903* (Cth).

[3] Applications made within the original jurisdiction of the Court conferred by Section 75(v) of the Constitution. Applications are governed by Order 55 of the High Court Rules and include applications directed to be made by Notice of Motion to a Justice in Court or to a Full Court in accordance with Order 55 Rule 2.

[4] Election Petitions filed pursuant to Section 353(1) of the *Commonwealth Electoral Act 1918* with the Court sitting as the Court of Disputed Returns.

9. CIVIL SPECIAL LEAVE APPLICATIONS HEARD

	Court Appealed From									
	Federal Court		Family Court		Supreme Court		High Court		TOTAL	
Registry:	98-99	99-00	98-99	99-00	98-99	99-00	98-99	99-00	98-99	99-00
Sydney	27	57	4	4	38	73	1	6	70	140
Melbourne	15	20	3	1	25	17	1	1	44	39
Brisbane	3	8	2	1	13	19	0	0	18	28
Adelaide	0	2	0	1	8	17	0	2	8	22
Perth	4	6	0	1	10	34	0	0	14	41
Canberra	7	11	0	2	0	0	0	0	7	13
Hobart	0	3	0	2	1	4	0	0	1	9
Darwin	0	2	0	0	1	3	0	0	1	5
TOTAL	56	109	9	12	96	167	2	9	163	297

10. CRIMINAL SPECIAL LEAVE APPLICATIONS HEARD

	Court Appealed From					
	Federal Court		Supreme Court		TOTAL	
	98-99	99-00	98-99	99-00	98-99	99-00
Registry:						
Sydney	-	-	24	24	24	24
Melbourne	-	-	10	22	10	22
Brisbane	-	-	19	25	19	25
Adelaide	-	-	23	15	23	15
Perth	-	-	8	22	8	22
Canberra	1	3	-	-	1	3
Hobart	-	-	0	2	0	2
Darwin	-	-	3	1	3	1
TOTAL	1	3	87	111	88	114

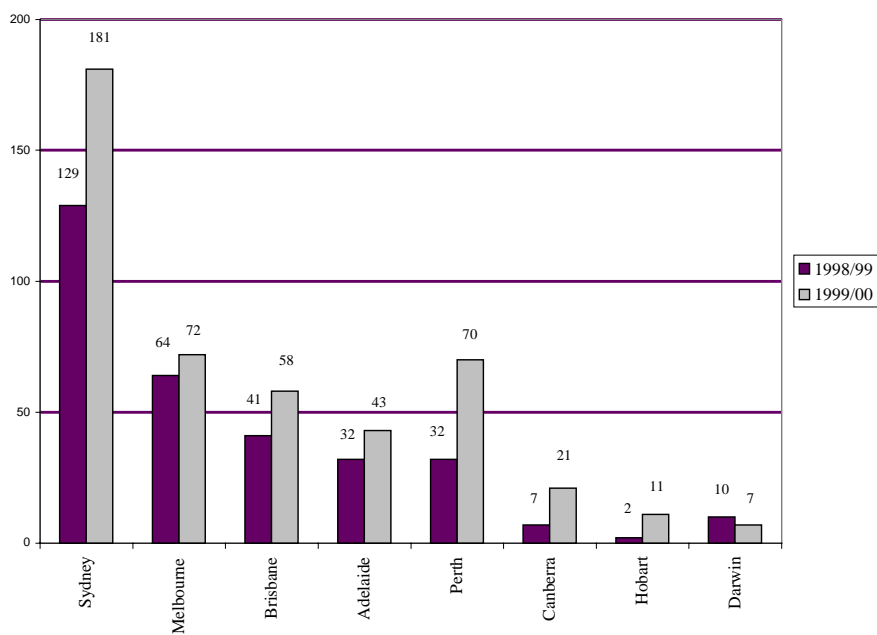
11. CIVIL APPEALS HEARD

	Court Appealed From									
	Federal Court		Family Court		Supreme Court		High Court		TOTAL	
	98-99	99-00	98-99	99-00	98-99	99-00	98-99	99-00	98-99	99-00
Registry:										
Sydney	11	12	0	1	9	6	0	0	20	19
Melbourne	3	6	0	0	4	4	0	0	7	10
Brisbane	2	1	0	0	1	3	0	0	3	4
Adelaide	1	0	0	0	1	4	0	0	2	4
Perth	3	1	0	1	3	4	0	0	6	6
Canberra	3	3	0	1	0	0	0	0	3	4
Hobart	0	0	0	0	0	0	0	0	0	0
Darwin	0	0	1	0	0	0	0	0	1	0
TOTAL	23	23	1	3	18	21	0	0	42	47

12. CRIMINAL APPEALS HEARD

Registry:	Court Appealed From					
	Federal Court		Supreme Court		TOTAL	
	98-99	99-00	98-99	99-00	98-99	99-00
Sydney	-	-	6	8	6	8
Melbourne	-	-	2	1	2	1
Brisbane	-	-	2	1	2	1
Adelaide	-	-	2	6	2	6
Perth	-	-	3	4	3	4
Canberra	0	0	-	-	0	0
Hobart	-	-	0	0	0	0
Darwin	-	-	4	0	4	0
TOTAL	0	0	19	20	19	20

13. TOTAL DECISIONS RELATED TO MATTERS FILED IN ALL JURISDICTIONS



14. CATEGORIES OF DECISIONS RELATED TO MATTERS FILED IN ALL JURISDICTIONS

Category:	1998-99	1999-00
Special Leave Applications (Civil)	160	275
Special Leave Applications (Criminal)	83	112
Appeals (Civil)	41	41
Appeals (Criminal)	17	21
Constitutional & Other Full Court Matters ^[1]	3	5
Applications for Removal of Cause ^[2]	5	3
Orders Nisi and Applications Referred to Full Court ^[3]	6	5
Electoral Act ^[4]	2	1
TOTAL	317	463

[1] Including matters proceeding to hearing by way of a Case Stated or Questions Reserved for the consideration of the Full Court pursuant to Section 18 of the *Judiciary Act 1903* (Cth) and causes removed in accordance with Section 40 of the *Judiciary Act 1903* (Cth).

[2] Applications made in accordance with Section 40 of the *Judiciary Act 1903* (Cth).

[3] Applications made within the original jurisdiction of the Court conferred by Section 75(v) of the Constitution. Applications are governed by Order 55 of the High Court Rules and include applications directed to be made by Notice of Motion to a Justice in Court or to a Full Court in accordance with Order 55 Rule 2.

[4] Election Petitions filed pursuant to Section 353(1) of the *Commonwealth Electoral Act 1918* with the Court sitting as the Court of Disputed Returns.

15. CIVIL SPECIAL LEAVE APPLICATIONS DECIDED

	Court Appealed From									
	Federal Court		Family Court		Supreme Court		High Court		TOTAL	
Registry:	98-99	99-00	98-99	99-00	98-99	99-00	98-99	99-00	98-99	99-00
Sydney	28	51	4	4	37	66	1	6	70	127
Melbourne	15	16	3	1	24	17	1	1	43	35
Brisbane	3	7	2	1	13	19	0	0	18	27
Adelaide	0	2	0	1	7	15	0	2	7	20
Perth	4	6	0	1	10	33	0	0	14	40
Canberra	6	10	0	2	0	0	0	0	6	12
Hobart	0	3	0	2	1	4	0	0	1	9
Darwin	0	2	0	0	1	3	0	0	1	5
TOTAL	56	97	9	12	93	157	2	9	160	275

16. RESULTS OF CIVIL SPECIAL LEAVE APPLICATIONS DECIDED

	1998-99			1999-00		
	Special Leave Granted	Special Leave Refused	Total	Special Leave Granted	Special Leave Refused	Total
Registry:						
Sydney	20	50	70	21	106	127
Melbourne	10	33	43	8	27	35
Brisbane	4	14	18	5	22	27
Adelaide	3	4	7	4	16	20
Perth	3	11	14	10	30	40
Canberra	4	2	6	3	9	12
Hobart	0	1	1	1	8	9
Darwin	0	1	1	0	5	5
TOTAL	44	116	160	52	223	275

16A. RESULTS OF 1999-00 CIVIL SPECIAL LEAVE APPLICATIONS DECIDED (SHOWING LOWER COURTS)

	Federal Court		Family Court		Supreme Court		High Court		TOTAL	
	Special Leave Granted	Special Leave Refused	Special Leave Granted	Special Leave Refused	Special Leave Granted	Special Leave Refused	Special Leave Granted	Special Leave Refused	Special Leave Granted	Special Leave Refused
Registry:										
Sydney	11	40	0	4	10	56	0	6	21	106
Melbourne	5	11	0	1	3	14	0	1	8	27
Brisbane	1	6	0	1	4	15	0	0	5	22
Adelaide	0	2	0	1	4	11	0	2	4	16
Perth	3	3	1	0	6	27	0	0	10	30
Canberra	2	8	1	1	0	0	0	0	3	9
Hobart	0	3	0	2	1	3	0	0	1	8
Darwin	0	2	0	0	0	3	0	0	0	5
TOTAL	22	75	2	10	28	129	0	9	52	223

17. CRIMINAL SPECIAL LEAVE APPLICATIONS DECIDED

Registry:	Federal Court		Supreme Court		TOTAL	
	98-99	99-00	98-99	99-00	98-99	99-00
Sydney	-	-	22	24	22	24
Melbourne	-	-	10	24	10	24
Brisbane	-	-	19	25	19	25
Adelaide	-	-	21	12	21	12
Perth	-	-	8	20	8	20
Canberra	0	4	-	-	0	4
Hobart	-	-	0	2	0	2
Darwin	-	-	3	1	3	1
TOTAL	0	4	83	108	83	112

18. RESULTS OF CRIMINAL SPECIAL LEAVE APPLICATIONS DECIDED

	1998-99			1999-00		
	Special Leave Granted	Special Leave Refused	Total	Special Leave Granted	Special Leave Refused	Total
Registry:						
Sydney	7	15	22	6	18	24
Melbourne	1	9	10	2	22	24
Brisbane	3	16	19	1	24	25
Adelaide	5	16	21	1	10	11
Perth	5	3	8	3	17	20
Canberra	0	0	0	1	4	5
Hobart	0	0	0	0	2	2
Darwin	0	3	3	0	1	1
TOTAL	21	62	83	14	98	112

18A. RESULTS OF 1999-00 CRIMINAL SPECIAL LEAVE APPLICATIONS DECIDED (SHOWING LOWER COURTS)

<u>Registry:</u>	Federal Court		Supreme Court		TOTAL	
	Special Leave Granted	Special Leave Refused	Special Leave Granted	Special Leave Refused	Special Leave Granted	Special Leave Refused
Sydney	-	-	6	18	6	18
Melbourne	-	-	2	22	2	22
Brisbane	-	-	1	24	1	24
Adelaide	-	-	1	11	1	11
Perth	-	-	3	17	3	17
Canberra	1	3	-	-	1	3
Hobart	-	-	0	2	0	2
Darwin	-	-	0	1	0	1
TOTAL	1	3	13	95	14	98

19. CIVIL APPEALS DECIDED

<u>Registry:</u>	Federal Court		Family Court		Supreme Court		High Court		TOTAL	
	98-99	99-00	98-99	99-00	98-99	99-00	98-99	99-00	98-99	99-00
Sydney	10	9	1	1	12	6	0	0	23	16
Melbourne	2	8	0	0	3	3	0	0	5	11
Brisbane	0	3	0	0	1	1	0	0	1	4
Adelaide	0	1	0	0	3	2	0	0	3	3
Perth	3	2	0	0	3	1	0	0	6	3
Canberra	0	4	0	0	0	0	0	0	0	4
Hobart	0	0	0	0	0	0	0	0	0	0
Darwin	1	0	1	0	0	0	0	0	2	0
TOTAL	16	27	2	1	22	13	0	0	40	41

20. RESULTS OF CIVIL APPEALS DECIDED

	1998-99			1999-00		
	Appeals Allowed	Appeals Dismissed	Total	Appeals Allowed	Appeals Dismissed	Total
Registry:						
Sydney	14	9	23	12	4	16
Melbourne	5	1	6	8	3	11
Brisbane	1	0	1	2	2	4
Adelaide	2	1	3	3	0	3
Perth	6	0	6	1	2	3
Canberra	0	0	0	3	1	4
Hobart	0	0	0	0	0	0
Darwin	1	1	2	0	0	0
TOTAL	29	12	41	29	12	41

20A. RESULTS OF 1999-00 CIVIL APPEALS DECIDED (SHOWING LOWER COURTS)

Registry:	Federal Court		Family Court		Supreme Court		High Court		TOTAL	
	Appeals Allowed	Appeals Dismissed	Appeals Allowed	Appeals Dismissed	Appeals Allowed	Appeals Dismissed	Appeals Allowed	Appeals Dismissed	Appeals Allowed	Appeals Dismissed
Sydney	8	1	0	1	4	2	0	0	12	4
Melbourne	6	3	0	0	2	0	0	0	8	3
Brisbane	1	2	0	0	1	0	0	0	2	2
Adelaide	1	0	0	0	2	0	0	0	3	0
Perth	1	1	0	0	0	1	0	0	1	2
Canberra	3	1	0	0	-	-	0	0	3	1
Hobart	0	0	0	0	0	0	0	0	0	0
Darwin	0	0	0	0	0	0	0	0	0	0
TOTAL	20	8	0	1	9	3	0	0	29	12

21. CRIMINAL APPEALS DECIDED

Registry:	Federal Court		Supreme Court		TOTAL	
	98-99	99-00	98-99	99-00	98-99	99-00
Sydney	-	-	5	7	5	7
Melbourne	1	-	2	1	3	1
Brisbane	-	-	1	2	1	2
Adelaide	-	-	1	6	1	6
Perth	-	-	3	4	3	4
Canberra	0	0	-	-	0	0
Hobart	-	-	1	0	1	0
Darwin	-	-	3	1	3	1
TOTAL	1	0	16	21	17	21

22. RESULTS OF CRIMINAL APPEALS DECIDED

Registry:	1998-99			1999-00		
	Appeals Allowed	Appeals Dismissed	Total	Appeals Allowed	Appeals Dismissed	Total
Sydney	4	1	5	4	3	7
Melbourne	1	2	3	0	1	1
Brisbane	1	0	1	2	0	2
Adelaide	0	1	1	4	2	6
Perth	2	1	3	4	0	4
Canberra	0	0	0	0	0	0
Hobart	0	1	1	0	0	0
Darwin	2	1	3	0	1	1
TOTAL	10	7	17	14	7	21

**22A. RESULTS OF 1999-00 CRIMINAL APPEALS DECIDED
(SHOWING LOWER COURTS)**

<u>Registry:</u>	Federal Court		Supreme Court		TOTAL	
	Appeal Allowed	Appeal Dismissed	Appeal Allowed	Appeal Dismissed	Appeal Allowed	Appeal Dismissed
Sydney	-	-	4	3	4	3
Melbourne	-	-	0	1	0	1
Brisbane	-	-	1	1	1	1
Adelaide	-	-	4	2	4	2
Perth	-	-	4	0	4	0
Canberra	0	0	-	-	0	0
Hobart	-	-	0	0	0	0
Darwin	-	-	0	1	0	1
TOTAL	0	0	13	8	13	8

23. ELAPSED TIME FOR CIVIL SPECIAL LEAVE APPLICATIONS FINALISED

Days	Filing to Ready for Hearing				Ready for Hearing to Hearing				Hearing to Decision				Total Elapsed Time			
	98-99	%	99-00	%	98-99	%	99-00	%	98-99	%	99-00	%	98-99	%	99-00	%
90 or less	27	17	32	12	119	74	181	66	159	99	275	100	16	10	18	6
91 to 180	72	45	110	40	33	21	68	25	0	0	0	0	40	25	45	16
181 to 270	43	27	87	32	4	2	18	6	1	1	0	0	49	31	95	35
271 to 365	8	5	28	10	3	2	6	2	0	0	0	0	34	21	63	23
over 365	10	6	18	6	1	1	2	1	0	0	0	0	21	13	54	20
TOTAL	160	100	275	100	160	100	275	100	160	100	275	100	160	100	275	100

24. ELAPSED TIME FOR CIVIL APPEALS FINALISED

Days	Filing to Ready for Hearing				Ready for Hearing to Hearing				Hearing to Decision				Total Elapsed Time			
	98-99	%	99-00	%	98-99	%	99-00	%	98-99	%	99-00	%	98-99	%	99-00	%
90 or less	15	37	5	12	30	73	39	96	9	22	12	29	0	0	2	0
91 to 180	12	29	24	59	5	12	1	2	14	34	21	51	2	5	9	5
181 to 270	9	22	9	22	5	12	1	2	16	39	8	20	5	12	20	22
271 to 365	1	2	3	7	1	3	0	0	2	5	0	0	15	37	10	49
Over 365	4	10	0	0	0	0	0	0	0	0	0	0	19	46	0	24
TOTAL	41	100	41	100	41	100	41	100	41	100	41	100	41	100	41	100

25. ELAPSED TIME FOR CRIMINAL SPECIAL LEAVE APPLICATIONS FINALISED

Days	Filing to Ready for Hearing				Ready for Hearing to Hearing				Hearing to Decision				Total Elapsed Time			
	98-99	%	99-00	%	98-99	%	99-00	%	98-99	%	99-00	%	98-99	%	99-00	%
90 or less	5	6	5	4	54	65	73	65	83	100	111	99	3	4	4	3
91 to 180	24	29	37	33	22	27	14	12	0	0	1	1	9	11	13	12
181 to 270	32	39	32	29	5	6	10	9	0	0	0	0	22	26	28	25
271 to 365	15	18	19	17	2	2	13	12	0	0	0	0	29	35	29	26
over 365	7	8	19	17	0	0	2	2	0	0	0	0	20	24	38	34
TOTAL	83	100	112	100	83	100	112	100	83	100	112	100	83	100	112	100

26. ELAPSED TIME FOR CRIMINAL APPEALS FINALISED

Days	Filing to Ready for Hearing				Ready for Hearing to Hearing				Hearing to Decision				Total Elapsed Time			
	98-99	%	99-00	%	98-99	%	99-00	%	98-99	%	99-00	%	98-99	%	99-00	%
90 or less	10	59	4	19	16	94	17	81	6	35	9	43	1	6	4	19
91 to 180	7	41	12	57	1	6	3	14	9	53	7	33	3	18	4	19
181 to 270	0	0	1	5	0	0	0	0	2	12	5	24	9	52	7	33
271 to 365	0	0	4	19	0	0	1	5	0	0	0	0	3	18	6	29
over 365	0	0	0	0	0	0	0	0	0	0	0	0	1	6	0	0
TOTAL	17	100	21	100	17	100	21	100	17	100	21	100	17	100	21	100

27. ELAPSED TIME FOR CONSTITUTIONAL MATTERS AND ELECTORAL PETITIONS FINALISED^[1]

Days	Filing to Ready for Hearing				Ready for Hearing to Hearing				Hearing to Decision				Total Elapsed Time			
	98-99	%	99-00	%	98-99	%	99-00	%	98-99	%	99-00	%	98-99	%	99-00	%
90 or less	1	20	3	50	5	100	5	83	3	60	3	50	0	0	0	0
91 to 180	3	60	0	0	0	0	1	17	1	20	1	17	0	0	2	33
181 to 270	0	0	1	16	0	0	0	0	1	20	2	33	3	60	1	17
271 to 365	1	20	1	17	0	0	0	0	0	0	0	0	1	20	0	0
over 365	0	0	1	17	0	0	0	0	0	0	0	0	1	20	3	50
TOTAL	5	100	6	100	5	100	6	100	5	100	6	100	5	100	6	100

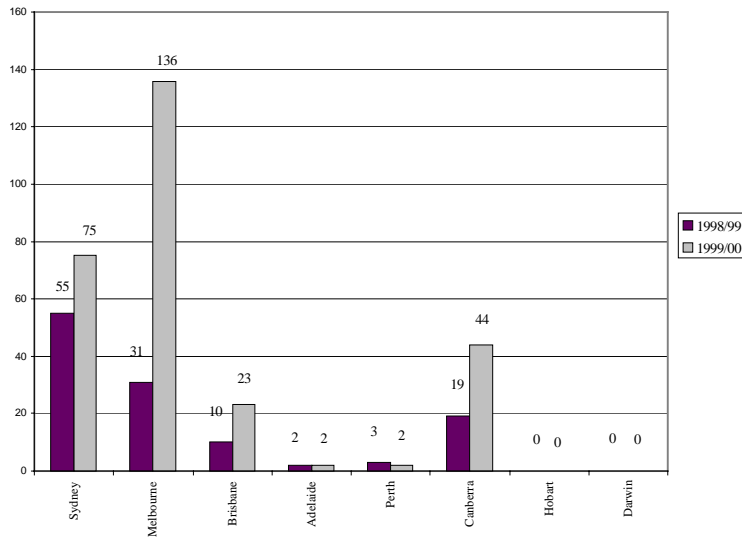
[1] Including matters proceeding to hearing by way of a Case Stated or Questions Reserved for the consideration of the Full Court pursuant to Section 18 of the *Judiciary Act 1903* (Cth) and causes removed in accordance with Section 40 of the *Judiciary Act 1903* (Cth).

28. ELAPSED TIME FOR ORDER NISI AND APPLICATIONS REFERRED TO FULL COURT FINALISED^[1]

Days	Filing to Ready for Hearing				Ready for Hearing to Hearing				Hearing to Decision				Total Elapsed Time			
	98-99	%	99-00	%	98-99	%	99-00	%	98-99	%	99-00	%	98-99	%	99-00	%
90 or less	3	50	0	0	4	66	5	2	1	17	2	40	0	0	0	0
91 to 180	2	33	2	40	1	17	0	2	1	17	2	40	0	0	0	0
181 to 270	1	17	2	40	0	0	0	2	4	66	1	20	0	0	2	40
271 to 365	0	0	1	20	1	17	0	1	0	0	0	0	4	67	1	20
over 365	0	0	0	0	0	0	0	0	0	0	0	0	2	33	2	40
TOTAL	6	100	5	100	6	100	5	7	6	100	5	100	6	100	5	100

[1] Applications made within the original jurisdiction of the Court conferred by Section 75(v) of the Constitution. Applications are governed by Order 55 of the High Court Rules and include applications directed to be made by Notice of Motion to a Justice in Court or to a Full Court in accordance with Order 55 Rule 2.

29. MATTERS HEARD BEFORE A SINGLE JUSTICE



[1] Includes matters heard by video-link.

30. CATEGORIES OF MATTERS HEARD BEFORE A SINGLE JUSTICE

Category:	1998-99	1999-00
Directions hearing	23	60
Order nisi application	25	173
Interlocutory injunction/stay/bail application	27	13
Application for leave to issue process	8	2
Application to vacate/expedite hearing date	7	9
Trial of election petition	10	10
Solicitor ceasing to act	0	0
Other	20	15
TOTAL	120	282

PART VII - ANNEXURE C

COSTS OF LITIGATION INFORMATION

This Annexure comprises the following information in relation to costs of litigation in the High Court of Australia:

- High Court of Australia (Fees) Regulations - Schedule 1: Fees for filing, issuing or sealing a document or obtaining a service - as at 30 June 2000.
- High Court of Australia (Fees) Regulations - Schedule 2: Scale of Professional Costs.
- High Court of Australia (Fees) Regulations - Record of fees waived.

HIGH COURT OF AUSTRALIA (FEES) REGULATIONS

SCHEDULE 1 - FEES FOR FILING, ISSUING OR SEALING A DOCUMENT OR OBTAINING A SERVICE AS AT 30 JUNE 2000

Regulation 4

PART 1		
Document or service mentioned in subregulation 4(1)		
Column 1 Item No.	Column 2 Document or service	Column 3 Fee
		\$
1	Application under rule 1 of Order 55 of the High Court Rules	1011.00
2	Writ of summons or petition	1011.00
3	Civil leave or special leave application	1011.00
4	Criminal special leave application	63.00
5	Application initiating a proceeding (including removals under section 40 of the Act, but not including an application referred to in another item of this Schedule)	1011.00
5A	Application for summons for directions	253.00
6	Civil notice of appeal	1011.00
6A	Criminal notice of appeal	372.00
7	Certificate of the Registrar other than a certificate of taxation	37.00
8	Taxing a bill of costs for every \$100.00, or part of \$100.00	8.00
PART 2		
Document or service mentioned in subregulation 4(2)		
9	Searching or inspecting a document mentioned in subrule 8(2) of Order 58 of the High Court Rules: For each hour or part of an hour	12.00
10	Making a photocopy or office copy of any document: For each page	3.00
11	Copy of reasons for judgment: (a) for each copy issued to a person not a party to the proceeding; and (b) for each copy in excess of one copy issued to a party to the proceeding; and (c) in respect of each copy issued: (i) for each page in excess of 10 pages; or (ii) maximum per copy	3.00 3.00 1.00 25.00
12	Annual subscription for copies of reasons for judgments (including the cost of postage)	435.00
13	Copy of transcript of proceedings prepared by the Court Reporting Service: For each page	7.00

Note: Subregulation 4(1A) provides for a fee payable by a corporation in respect of items 1,2,3,5,5A and 6 to be twice the fee specified in column 3 of the item.

HIGH COURT OF AUSTRALIA (FEES) REGULATIONS

SCHEDULE 2 - SCALE OF PROFESSIONAL COSTS

Item	1 October 1999 to date \$
INSTRUCTIONS	
1	To sue or defend, or to make or oppose an application for special leave to appeal, or to appeal, or oppose an appeal or to cross appeal, or for any other originating proceedings 163.50
2	To make or oppose any interlocutory application 72.50
3	For a special case, case stated or reservation of question of law for the consideration of a Full Court, or for a statement of claim or a petition 163.50
4	For any pleading (other than a statement of claim) 127.00
5	To amend any pleading 43.80
6	For a statement of facts or an agreed statement of facts in a matter 127.00
7	For interrogatories, answers to interrogatories, special affidavits or an affidavit (not being a formal affidavit) 98.00
8	For Counsel to advise 70.00
9	For a document not otherwise provided for 27.70
10	For a brief for Counsel on a hearing or application in Court or in Chambers or brief notes for Solicitor..... 90.90
	NOTE: Instructions are not to be allowed where the work intended to be included therein is charged for and allowed in detail. Instead of the above costs for instructions, such larger sum may be claimed as is reasonable in all the circumstances of the case, and is allowed on taxation at the discretion of the Taxing Officer.
WRITS	
11	Writ of Summons for the commencement of an action or other writ not specifically provided for 75.60
12	Concurrent Writ of Summons 27.10
13	Writ of Subpoena 39.50
14	If any of the above writs exceeds 3 folios, for each extra folio 5.50
	NOTE: These costs include all endorsements, and copies (for the officers sealing them) and attendances to issue or seal, but not the Court fees.
SUMMONSES AND MOTIONS	
15	Any Chamber Summons or motion, including preparation, copies and attendance to issue, including attendance to fix return date 46.50
	- if more than 3 folios, for each extra folio 5.50
APPEARANCES AND NOTICES	
16	Preparing and entering an appearance including duplicate memorandum and Notice of Appearance for service 76.40
17	Any necessary or proper notice or memorandum not otherwise provided for, or any demand .. 25.50
	- if more than 3 folios, for each extra folio 5.50
	NOTE: This provision shall not apply to short notices or memoranda endorsed on other documents but the words or folios therein may be allowed as part of the documents so endorsed.
DRAWING	
18	Drawing any pleading or affidavit not exceeding 5 folios 72.50
	- or, per folio 10.20
19	Drawing any other document where no other provision is made - per folio 10.00

**1 October 1999
to date**

	ENGROSSING	\$
20	Marking each exhibit to an affidavit.....	1.80
21	Engrossing any document - per folio	3.70
	COPIES	
22	Of any document including carbon, photographic or machine made copy - per page	1.80
	Except that where the allowance for 10 or more pages is claimed, in respect of any document, the sum allowed for such copies shall be at the discretion of the Taxing Officer.	
	PERUSAL AND EXAMINATION	
23	Perusal of any document including special letter, telegram, telex or similar document	27.00
	- or, per folio	3.70
	Except that where an allowance for 30 or more folios is claimed, in respect of any document, the sum allowed for perusal shall be at the discretion of the Taxing Officer.	
24	Where it is not necessary to peruse a document, such as, checking a proof print of, or examining an application or appeal book	
	- per quarter hour	
	- Solicitor	27.10
	- Clerk	8.90
	CORRESPONDENCE	
25	Short letter including a formal acknowledgment, making appointments, forwarding documents without comment	12.90
26	Ordinary letter (including letters between principal and agent)	21.90
27	Circular letter (after the first) each	7.30
28	Special letter or letter containing opinion and including letters of substance between principal and agent	36.20
	Or	
	Such sum as the Taxing Officer thinks reasonable in the circumstances.	
29	Telegram, facsimile copy, telex or other document by similar transmitting process including attendance to dispatch (where necessary)	36.20
	Or	
	Such sum as the Taxing Officer thinks reasonable in the circumstances.	
30	Receiving and filing any incoming special letter, facsimile, telegram or telex	1.80
	NOTE: Postage and transmission fees may be claimed as a disbursement properly incurred.	
	SERVICE	
31	Personal service of any process or proceeding where necessary	45.00
	Or	
	Such sum may be allowed as is reasonable having regard to time occupied, distance travelled and other relevant circumstances.	
32	When, in consequence of the distance of the party to be served, it is proper to effect service through an agent, instead of the allowance for service for:	
	(a) Correspondence	40.10
	(b) Agent's charges	76.50
	and such disbursements as may reasonably be incurred.	
33	Service of any document at the office of the address for service either by delivery or by post ..	15.40
	ATTENDANCES	
34	An attendance which requires the attendance of a Solicitor	
	- per quarter hour	43.40
35	An attendance which is capable of being made by a Clerk	27.00
	- or, per quarter hour	7.10

		1 October 1999
		to date
		\$
36	Making an appointment or similar attendance by telephone	12.90
37	An attendance on Counsel:	
	- with brief or other papers	27.60
	- to appoint a conference or consultation	12.10
38	A conference or consultation with Counsel	72.50
	- or, per half hour	54.70
39	On a summons or other application in Chambers	40.90
	- or, per hour	72.50
40	In Court or in Chambers instructing Counsel on any hearing or application:	
	- if a Solicitor attends, per hour	174.40
	or	
	- if a Clerk attends, per hour	72.60
41	On an application or appearance before a Registrar or a Taxing Officer	90.90
	- or, per hour	108.90
	NOTE: Instead of the above costs for attendances, such larger sum may be claimed as is reasonable in all the circumstances of the case, and is allowed on taxation at the discretion of the Taxing Officer.	
42	To hear judgment	47.50
43	When in the opinion of the Taxing Officer it is necessary for two Solicitors, or a Solicitor and a Clerk to attend on a hearing, such additional allowance as the Taxing Officer thinks reasonable shall be made not exceeding per day	364.50
44	Where the Taxing Officer is satisfied that a Solicitor has his principal place of practice in a place other than that in which the Court is sitting, and it is necessary for him to leave that place to attend in Court or in Chambers at the hearing of an appeal, application, or cause, an allowance (in addition to reasonable travelling expenses) may be made for each day that he is necessarily absent from his principal place of practice of such amount that the Taxing Officer thinks reasonable having regard to such other charges as the Solicitor may be entitled to make in the matter.	
	Not exceeding per day	814.30
45	An attendance for which no other provision is made	36.20
 PREPARATION OF APPEAL AND APPLICATION BOOKS		
46	Preparation of appeal and application books including collating all necessary material, all necessary attendances and general oversight of their preparation in cases where the Registrar is satisfied it has been done efficiently.	
	Per hour: Solicitor	117.80
	Clerk	39.30
47	Where appeal or application books are prepared in a Solicitor's office, the Taxing Officer may in his discretion allow such sum as he thinks just and reasonable having regard to work and labour properly performed and charged for material used. In exercising his discretion the Taxing Officer shall have regard to commercial rates for copying and binding and is not obliged to apply the photographic or machine made copy costs otherwise allowable in this scale.	

GENERAL CARE AND CONDUCT

- 48 The Taxing Officer may, where the case or circumstances warrant it, allow an amount to be claimed under this item, in addition to any item which appears in this scale, for general care and conduct. In the exercise of the discretion the Taxing Officer may have regard to any matters considered relevant including:
- (a) the complexity of the matter and the difficulty and novelty of the questions raised or any of them;
 - (b) the importance of the matter to the party and the amount involved;
 - (c) the skill, labour, specialised knowledge and responsibility involved therein on the part of the Solicitor;
 - (d) the number and importance of the documents prepared or perused without regard to length;
 - (e) the time expended by the Solicitor;
 - (f) research and consideration of questions of law and fact.

WITNESSES EXPENSES

- 49 Witnesses called because of their professional, scientific or other special skill or knowledge
- per day 663.20
- 50 Witnesses called, other than covered in item 49 - per day 70.00
- 51 Witnesses remunerated in their occupation by wages, salary or fees, the amount lost by attendance at Court.
- 52 Where the witness resides more than 50 kilometres from the Court, such sum as the Taxing Officer thinks reasonable for the actual cost of conveyance, together with a reasonable amount for sustenance or maintenance.
- 53 The Taxing Officer may also allow such amount as is considered reasonable and properly incurred and paid to witnesses for qualifying to give skilled evidence.
- 54 Notwithstanding anything in the scale, the Taxing Officer may allow to an expert witness a special fee for attendance at Court not covered by the foregoing paragraphs of this item when the witness is acting as an expert in assisting Counsel or a Solicitor for a period during the trial or hearing. The scale in this item does not affect the existing practice of allowing qualifying fees to witnesses.

DISBURSEMENTS

- 55 All Court fees, Counsel's fees and other fees and payments, to the extent to which they have been properly and reasonably incurred and paid, shall be allowed.
- 56 The remuneration allowed to a Solicitor shall be governed by the foregoing scale but in special cases the Taxing Officer may in his discretion allow such additional charges or disbursements as he considers reasonable.

HIGH COURT OF AUSTRALIA (FEES) REGULATIONS

WAIVER OF FEES DURING 1999-00

Exemption Category	Source of Exemption	No.	Amount
Legal Aid	Reg.4(4)(a)/4A(2)(b)/5(2)(b)	49	\$60,599
Department of Social Security or Veterans' Affairs Cardholder	Reg.4(4)(b)(i)&(ii)/ 4A(2)(c)(i)&(ii)/5(2)(c)(i)&(ii)	106	\$120,762
Prison inmate/person in lawful detention	Reg.4(4)(b)(iii)/4A(2)(c)(iii)/ 5(2)(c)(iii)	112	\$71,348
Child under the age of 18 years	Reg.4(4)(b)(iv)/4A(2)(c)(iv)/ 5(2)(c)(iv)	0	Nil
Youth allowance or AUSTUDY recipient	Reg.4(4)(b)(v)/4A(2)(c)(v)/ 5(2)(c)(v)	1	\$1,011
ABSTUDY recipient	Reg.4(4)(b)(vi)/4A(2)(c)(vi)/ 5(2)(c)(vi)	0	Nil
Financial hardship	Reg.4(4)(c)/4A(2)(d)/5(2)(d)	61	\$73,294
TOTAL		329	\$327,014

PART VII - ANNEXURE D

STAFFING OVERVIEW

This Annexure comprises two tables which provide a profile of the Court administration's staffing as at 30 June 2000. The first table shows the number of men and women in full-time and part-time employment with the Court, and the second table shows the composition of staff by salary classification. Both tables exclude staff employed on a casual or sessional basis.

1. Staff Profile by Employment Category and Sex

Employment Category and Sex	Office of the Chief Executive, & Marshal's Branch	Registry Branch	Library Branch	Chambers	Total
<u>Full-time Staff</u>					
<u>Permanent</u>					
Men	10	2	1	1	14
Women	6	9	10	8	33
Total	16	11	11	9	47
<u>Temporary</u>					
Men	0	0	0	8	8
Women	0	0	0	5	5
Total	0	0	0	13	13
<u>All Full-time Staff</u>					
Men	10	2	1	9	22
Women	6	9	10	13	38
Total	16	11	11	22	60
<u>Part-time Staff</u>					
<u>Permanent</u>					
Men	3	0	0	0	3
Women	5	1	3	0	9
Total	8	1	3	0	12
<u>Temporary</u>					
Men	0	0	0	0	0
Women	0	0	0	0	0
Total	0	0	0	0	0
<u>All Part-time Staff</u>					
Men	3	0	0	0	3
Women	5	1	3	0	9
Total	8	1	3	0	12
<u>All Staff</u>					
Men	13	2	1	9	25
Women	11	10	13	13	47
Total	24	12	14	22	72

2. Composition of Staff by Salary Classification

Classification and Salary	Office of the Chief Executive, and Marshal's Branch		Registry Branch		Library Branch		Chambers		Total	
	M	F	M	F	M	F	M	F	M	F
Holder of Public Office	1								1	
Senior Executive above \$75,000	1			1		1			1	2
High Court Executive Levels 1 – 2 \$57,431-\$80,304			1	2		1			1	3
High Court Officer Levels 5 – 6 \$40,882-\$50,721	2	4				2	8	13	10	19
High Court Officer Levels 1 – 4 \$25,513-\$39,796	9	7	1	7	1	9	1		12	23
Total	13	11	2	10	1	13	9	13	25	47