

Version
as at 1 July 2024



Court of Appeal (Criminal Fees) Regulations 2013 (SR 2013/176)

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 20th day of May 2013

Present:

His Excellency the Governor-General in Council

Pursuant to section 387 of the Criminal Procedure Act 2011, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

These regulations are administered by the Ministry of Justice.

Regulations

1 Title

These regulations are the Court of Appeal (Criminal Fees) Regulations 2013.

2 Commencement

These regulations come into force on 1 July 2013.

3 Interpretation

In these regulations, unless the context otherwise requires,—

access means to search, inspect, or copy under the supervision of an officer of the court

Act means the Criminal Procedure Act 2011

court means the Court of Appeal

criminal appeal means—

- (a) an appeal, or application for leave to appeal, to the court, and to which the Act applies; or
- (b) a Solicitor-General's reference to the court under subpart 11 of Part 6 of the Act

Registrar means the Registrar of the court, and includes any Deputy Registrar of the court.

4 Access fees

- (1) The fees prescribed by the Schedule are payable in respect of the matters specified in the Schedule.
- (2) The fee prescribed by item 1 of the Schedule is not payable by any of the following:
 - (a) a party to the criminal appeal:
 - (b) a lawyer representing a party to the criminal appeal:
 - (c) if the defendant in the criminal proceeding to which the criminal appeal relates is a corporation, a representative of the defendant appointed in accordance with section 12 of the Act.
- (3) A person specified in subclause (2) is entitled to 1 copy of any part or parts of the court file or any document relating to the criminal appeal without payment of the fee prescribed by item 2 or 3 of the Schedule.
- (4) Fees prescribed by the Schedule are payable by a person specified in section 382(4) of the Act unless the person is exempted under subclause (2) or (3).

5 GST

The fees prescribed by these regulations are inclusive of goods and services tax.

6 Receipts

The Registrar must ensure that a person who makes a payment of any amount in or towards a fee prescribed by these regulations is given a receipt for the payment as soon as is reasonably practicable after the amount is received.

Schedule Access fees

Item	Matters specified	Fee (\$)
1	Requesting access to the formal court record, the court file, or 1 or more documents, relating to a criminal appeal	33.00
2	Copying a judgment relating to a criminal appeal	33.00
3	Copying a document (other than a judgment) relating to a criminal appeal—	
	(a) for each black and white page	0.20
	(b) for each colour page	0.40
	(c) for documents in electronic form	actual and reasonable costs

Schedule item 1: amended, on 1 July 2024, by regulation 4 of the Court of Appeal (Criminal Fees) Amendment Regulations 2024 (SL 2024/98).

Schedule item 2: amended, on 1 July 2024, by regulation 4 of the Court of Appeal (Criminal Fees) Amendment Regulations 2024 (SL 2024/98).

Rebecca Kitteridge,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 23 May 2013.

Notes

1 *General*

This is a consolidation of the Court of Appeal (Criminal Fees) Regulations 2013 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 *Amendments incorporated in this consolidation*

Court of Appeal (Criminal Fees) Amendment Regulations 2024 (SL 2024/98)