

**DEFINITIONS – Rule 2.01A**

	Arbitration does not exceed two hours		Arbitration exceeds two hours	
	No PHC	With PHC	No PHC	With PHC
Cap A	\$1,999	\$2,376	\$3,000	\$3,377
Cap B	\$2,156	\$2,625	\$3,234	\$3,703
Cap C	\$2,310	\$2,874	\$3,467	\$4,031

**DISBURSEMENTS – Rule 2.11**

In addition to the costs that may be awarded in Appendices AA (rule 2.08), AB (rule 2.09) and AC (rule 2.10) below, amounts properly paid or payable out of pocket and the expenses of witnesses and interpreters may be allowed.

**APPENDIX AA – Professional costs in respect of an arbitration where no offer of compromise made**

For all professional costs, including Australian lawyer's costs and fees to counsel, where the amount awarded:

	Amount Awarded	Professional costs If duration of arbitration <u>does not</u> exceed 2 hours	Professional costs If duration of arbitration <u>exceeds</u> 2 hours
1	Is \$500 or more but does not exceed \$3,000	\$1,999	\$3,000
2	Exceeds \$3,000 but is less than \$5,000	\$2,156	\$3,234
3	Is \$5,000 or more but is less than \$10,000	\$2,310	\$3,467

If a party is awarded costs only and the amount claimed in the complaint:

	Amount Awarded	Professional costs If duration of arbitration <u>does not</u> exceed 2 hours	Professional costs If duration of arbitration <u>exceeds</u> 2 hours
4	Is \$500 or more but is less than \$3,000	\$1,999	\$3,000
5	Exceeds \$3,000 but is less than \$5,000	\$2,156	\$3,234
6	Is \$5,000 or more but is less than \$10,000	\$2,310	\$3,467

If a complaint has been the subject of a pre-hearing conference under section 107 or mediation under section 108 of the *Magistrates' Court Act 1989*, the following additional amounts may be awarded:

- a) \$377 if item (1) or (4) applies
- b) \$469 if item (2) or (5) applies
- c) \$564 if item (3) or (6) applies

**APPENDIX AB – Professional costs to be awarded to plaintiff where defendant does not accept offer of compromise**

	Amount of arbitration award	If offer of compromise was served within 21 days after notice of defence given	If offer of compromise was served within 21 days after pre-hearing conference (if held)	If offer of compromise was served at least 14 days before arbitration
1	where the amount awarded is \$500 or more but does not exceed \$3000 (arbitration 2 hrs or less) (without PHC)	\$3,498.25	\$2,998.50	\$2,498.75
	where the amount awarded is \$500 or more but does not exceed \$3000 (arbitration 2 hrs or less) (with PHC)	\$4,158.00	\$3,564.00	\$2,970.00
	where the amount awarded is \$500 or more but does not exceed \$3000 (arbitration exceeds 2 hrs) (without PHC)	\$5,250.00	\$4,500.00	\$3,750.00
	where the amount awarded is \$500 or more but does not exceed \$3000 (arbitration exceeds 2 hrs) (with PHC)	\$5,909.75	\$5,065.50	\$4,221.25
2	where the amount awarded exceeds \$3000 but is less than \$5000 (arbitration 2 hrs or less) (without PHC)	\$3,773.00	\$3,234.00	\$2,695.00
	where the amount awarded exceeds \$3000 but is less than \$5000 (arbitration 2 hrs or less) (with PHC)	\$4,593.75	\$3,937.50	\$3,281.25
	where the amount awarded exceeds \$3000 but is less than \$5000 (arbitration exceeds 2 hrs) (without PHC)	\$5,659.50	\$4,851.00	\$4,042.50
	where the amount awarded exceeds \$3000 but is less than \$5000 (arbitration exceeds 2 hrs) (with PHC)	\$6,480.25	\$5,554.50	\$4,628.75
3	where the amount awarded is \$5000 or more but is less than \$10 000 (arbitration 2 hrs or less) (without PHC)	\$4,042.50	\$3,465.00	\$2,887.50
	where the amount awarded is \$5000 or more but is less than \$10 000 (arbitration 2 hrs or less) (with PHC)	\$5,029.50	\$4,311.00	\$3,592.50
	where the amount awarded is \$5000 or more but is less than \$10 000 (arbitration exceeds 2 hrs) (without PHC)	\$6,067.25	\$5,200.50	\$4,333.75
	where the amount awarded is \$5000 or more but is less than \$10 000 (arbitration exceeds 2 hrs) (with PHC)	\$7,054.25	\$6,046.50	\$5,038.75

**APPENDIX AC – Professional costs to be awarded where plaintiff does not accept offer of compromise**

For the following items:

- (i) Numbers in **black** represent payments from Plaintiff to Defendant.
- (ii) Numbers in **red** represent payments from Defendant to Plaintiff.

	Amount of arbitration award	If offer of compromise was served within 21 days after notice of defence given	If offer of compromise was served within 21 days after pre-hearing conference (if held)	If offer of compromise was served at least 14 days before arbitration
1	where the amount awarded is \$0.00 and no other relief is granted (arbitration 2 hrs or less) (without PHC)	<b>\$3,498.25</b>	<b>\$2,998.50</b>	<b>\$2,498.75</b>
	where the amount awarded is \$0.00 and no other relief is granted (arbitration 2 hrs or less) (with PHC)	<b>\$4,158.00</b>	<b>\$3,564.00</b>	<b>\$2,970.00</b>
	where the amount awarded is \$0.00 and no other relief is granted (arbitration exceeds 2 hrs) (without PHC)	<b>\$5,250.00</b>	<b>\$4,500.00</b>	<b>\$3,750.00</b>
	where the amount awarded is \$0.00 and no other relief is granted (arbitration exceeds 2 hrs) (with PHC)	<b>\$5,909.75</b>	<b>\$5,065.50</b>	<b>\$4,221.25</b>
2	where the amount awarded is \$1 or more but less than \$500 (arbitration 2 hrs or less) (without PHC)	<b>\$2,798.60</b>	<b>\$1,799.10</b>	<b>\$749.63</b>
	where the amount awarded is \$1 or more but less than \$500 (arbitration 2 hrs or less) (with PHC)	<b>\$3,326.40</b>	<b>\$2,138.40</b>	<b>\$891.00</b>
	where the amount awarded is \$1 or more but less than \$500 (arbitration exceeds 2 hrs) (without PHC)	<b>\$4,200.00</b>	<b>\$2,700.00</b>	<b>\$1,125.00</b>
	where the amount awarded is \$1 or more but less than \$500 (arbitration exceeds 2 hrs) (with PHC)	<b>\$4,727.80</b>	<b>\$3,039.30</b>	<b>\$1,266.38</b>

	Amount of arbitration award	If offer of compromise was served within 21 days after notice of defence given	If offer of compromise was served within 21 days after pre-hearing conference (if held)	If offer of compromise was served at least 14 days before arbitration
3	where the amount awarded is \$500 or more but does not exceed \$3000 (arbitration 2 hrs or less) (without PHC)	<b>\$2,798.60</b> <b>\$399.80</b>	<b>\$1,799.10</b> <b>\$799.60</b>	<b>\$749.63</b> <b>\$1,399.30</b>
	where the amount awarded is \$500 or more but does not exceed \$3000 (arbitration 2 hrs or less) (with PHC)	<b>\$3,326.40</b> <b>\$475.20</b>	<b>\$2,138.40</b> <b>\$950.40</b>	<b>\$891.00</b> <b>\$1,663.20</b>
	where the amount awarded is \$500 or more but does not exceed \$3000 (arbitration exceeds 2 hrs) (without PHC)	<b>\$4,200.00</b> <b>\$600.00</b>	<b>\$2,700.00</b> <b>\$1,200.00</b>	<b>\$1,125.00</b> <b>\$2,100.00</b>
	where the amount awarded is \$500 or more but does not exceed \$3000 (arbitration exceeds 2 hrs) (with PHC)	<b>\$4,727.80</b> <b>\$675.40</b>	<b>\$3039.30</b> <b>\$1,350.80</b>	<b>\$1,266.38</b> <b>\$2,363.90</b>
4	where the amount awarded exceeds \$3000 but is less than \$5000 (arbitration 2 hrs or less) (without PHC)	<b>\$3,018.40</b> <b>\$431.20</b>	<b>\$1940.40</b> <b>\$862.40</b>	<b>\$808.50</b> <b>\$1,509.20</b>
	where the amount awarded exceeds \$3000 but is less than \$5000 (arbitration 2 hrs or less) (with PHC)	<b>\$3,675.00</b> <b>\$525.00</b>	<b>\$2,362.50</b> <b>\$1,050.00</b>	<b>\$984.38</b> <b>\$1,837.50</b>
	where the amount awarded exceeds \$3000 but is less than \$5000 (arbitration exceeds 2 hrs) (without PHC)	<b>\$4,527.60</b> <b>\$646.80</b>	<b>\$2,910.60</b> <b>\$1,293.60</b>	<b>\$1,212.75</b> <b>\$2,263.80</b>
	where the amount awarded exceeds \$3000 but is less than \$5000 (arbitration exceeds 2 hrs) (with PHC)	<b>\$4,184.20</b> <b>\$740.60</b>	<b>\$3,332.70</b> <b>\$1,481.20</b>	<b>\$1,388.63</b> <b>\$2,592.10</b>
5	where the amount awarded is \$5000 or more but is less than \$10 000 (arbitration 2 hrs or less) (without PHC)	<b>\$3,234.00</b> <b>\$462.00</b>	<b>\$2,079.00</b> <b>\$924.00</b>	<b>\$866.25</b> <b>\$1,617.00</b>
	where the amount awarded is \$5000 or more but is less than \$10 000 (arbitration 2 hrs or less) (with PHC)	<b>\$4,023.60</b> <b>\$574.80</b>	<b>\$2,586.60</b> <b>\$1,149.60</b>	<b>\$1,077.75</b> <b>\$2,011.80</b>
	where the amount awarded is \$5000 or more but is less than \$10 000 (arbitration exceeds 2 hrs) (without PHC)	<b>\$4,853.80</b> <b>\$693.40</b>	<b>\$3,120.30</b> <b>\$1,386.80</b>	<b>\$1,300.13</b> <b>\$2,426.90</b>
	where the amount awarded is \$5000 or more but is less than \$10 000 (arbitration exceeds 2 hrs) (with PHC)	<b>\$5,643.40</b> <b>\$806.20</b>	<b>\$3,627.90</b> <b>\$1,612.40</b>	<b>\$1,511.63</b> <b>\$2,821.70</b>

**APPENDIX AD – Professional costs to be awarded to plaintiff where defendant accepts offer of compromise**

Compromise amount accepted	If offer of compromise was accepted within 28 days after notice of defence given	If offer of compromise was accepted within 28 days after pre-hearing conference (if held)	If offer of compromise was served at least 7 days before arbitration
1 where the compromise amount accepted is \$500 or more but does not exceed \$3000 (without PHC)	\$499.75	\$999.50	\$1,499.25
	where the compromise amount accepted is \$500 or more but does not exceed \$3000 (with PHC)	\$594.00	\$1,188.00
2 where the compromise amount accepted exceeds \$3000 but is less than \$5000 (without PHC)	\$539.00	\$1,078.00	\$1,617.00
	where the compromise amount accepted exceeds \$3000 but is less than \$5000 (with PHC)	\$656.25	\$1,312.50
3 where the compromise amount accepted is \$5000 or more but is less than \$10 000 (without PHC)	\$577.50	\$1,155.00	\$1,732.50
	where the compromise amount accepted is \$5000 or more but is less than \$10 000 (with PHC)	\$718.50	\$1,437.00