

PRACTICE DIRECTION NUMBER 6 of 2017

LAND COURT OF QUEENSLAND

COSTS IN RECOMMENDATORY MATTERS

1. The purpose of this Practice Direction is to establish a process for determining the amount to be paid under an order for costs made by the Court in performing a function under a recommendatory provision (as defined by s 52A *Land Court Act 2000*).
2. Costs in a recommendatory matter may include costs incurred in procuring evidence and the attendance of witnesses.
3. If the parties agree on the amount to be paid under an order for costs in a recommendatory matter, they may file a consent order in accordance with r 44 *Land Court Rules 2000*.
4. If they cannot agree, the party entitled to be paid costs must file in the Land Court Registry and serve on the party liable to pay their costs a costs statement.
5. Within 21 days of being served with the costs statement, the party liable to pay costs may file in the Land Court Registry and serve on the party entitled to be paid costs any objection to the costs statement.
6. If no objection is filed within 21 days, the Court will issue an order fixing costs in the amount claimed in the costs statement.
7. Unless otherwise ordered, if an objection is filed within 21 days the Court will assess costs without an oral hearing and issue an order fixing costs as assessed.
8. Unless otherwise ordered, the Court will assess costs on the standard basis under the District Court Scale as prescribed by the *Uniform Civil Procedure Rules 1999*.
9. The Registrar will provide all parties affected by a costs order with a copy of the order fixing costs.
10. A party affected by the order can request the Court to provide written reasons for the order within 21 days of the date of the order.
11. For costs assessed under this practice direction:
 - a. A costs statement must be in the form prescribed by the UCPR, with necessary changes, and must satisfy the requirements of r 705 UCPR;

- b. An objection to a costs statement must be in the form prescribed by the UCPR, with necessary changes, and must satisfy the requirements of r 706 UCPR.



Fleur Kingham
President
28/08/2017