



High Court of Australia

Party Category Information

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

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

If a party is made up of different bodies or persons, then the highest rate of fee which can apply is payable.

Party Category Information Definitions

Publicly listed company

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

Corporation

Includes:

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

But does not include:

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

Public authority

Means:

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

Small business

Means a business with:

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

Not-for-profit association

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

Other

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