THE LAW SOCIETY OF NEW SOUTH WALES

AUSTRALIAN MEDICAL ASSOCIATION NEW SOUTH WALES

# SCHEDULE
## ALLOWANCES TO WITNESSES AND SUGGESTED FEES FOR MEDICAL EXAMINATIONS AND REPORTS
## 30 June 2011

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| **Photocopying** | |
| 1.1 Charges in respect of documents up to 33 pages, a minimum: | $34.00 |
| 1.2 Additional charges, where more than 33 pages are provided, per page: | $1.24 |
| **Medico-Legal Reports** | |
| 2. The following fees may vary depending on the complexity of the matter, the number of documents to be studied and the amount of research needed to give the medico-legal opinion: | |
| 2.1 Report made by an attending general practitioner: | |
| 2.1.1 where a re-examination of a patient is not required: | $405.00 |
| 2.1.2 where a re-examination of a patient is required: | $470.00 |
| 2.2 Report made by an attending specialist: | |
| 2.2.1 where a re-examination of a patient is not required: | $800.00 |
| 2.2.2 where a re-examination of a patient is required: | $950.00 |
| 2.3 Report made by a specialist who has not previously treated the patient: | $1,250.00-<br>$1,550.00 |
| 2.4 Where special circumstances are shown to exist, eg. where an extensive record is accompanied by the request for a report or where there are multiple attendances required such as in the case of psychiatric treatments, fees may be negotiated between the parties outside of the scale provided for above. | |
| 2.5 If a client fails to attend a medico-legal appointment, or the appointment is cancelled with less than 2 working days notice, a reasonable fee should be negotiated between the parties. | |
| 2.6 Where a request for a report is cancelled, the full fee is payable if the report has been prepared. If the report has not been prepared but the examination has been conducted, a reasonable fee for the work done should be negotiated between the parties. | |
| **Allowances to Witnesses for Expert Evidence** | |
| 3. Where a medical practitioner is called to give expert evidence: | |
| 3.1 Including travelling to Court, where period from departure from home, hospital, place of practice, office of employment or other place to return thereto from attendance at Court does not exceed one and a half hours (minimum payment): | $1,145.00 |
| 3.2 For every full hour after the first hour and a half or proportion thereof if not for a full hour: | $730.00 |
| 3.3 Where teleconference facilities are made available, the amount payable shall be based on the Hourly Fee provided for in 3.2 above, charged on a scale of 5 minute increments for time spent giving evidence. | |
| 3.4 In special circumstances, a fee outside the scheduled fee may be negotiated. | |
| 4. Travelling and other allowances: | |
| 4.1 Payment to be made at the rate of $1.88 per kilometre one way after the first kilometre up to and including 80 kilometres. | |
| 4.2 Exceeding 80 kilometres – the reasonable costs thereof plus the costs of reasonable accommodation and meals. | |
| 5. Where a medical practitioner is required to undertake preparation for appearance as a witness including reviewing records, reports and other documentation, this time shall be paid at the hourly rate prescribed in 3.2 above. | |
| **Cancellation Fee** | |
| 6. Where a medical practitioner is required to attend court and cancellation occurs, this time shall be paid as below in addition to non-refundable expenses incurred: | |
| 6.1 With less 2 working days notice of cancellation: | $1,145.00 |
| 6.2 With more than 2 working days notice but less than 7 working days notice of cancellation: | $575.00 |
| 6.3 In special circumstances, a fee outside of the scheduled fee may be negotiated. | |

* **Medical practitioners and solicitors are advised to record, in writing, an agreement as to the fees agreed to be paid before the provision of services.**

** **Maximum fees are provided under legislation for services provided to the Workers Compensation Commission, Motor Accident Authority and in criminal matters. These may vary from the above scale.**

*** **The above fees apply in respect of attendances, examinations carried out and reports ordered after 30 June 2011. These fees shall be subject to review on or after 30 June 2012.**

**** **The above fees are GST exclusive.**