

## DISPUTE RESOLUTION &amp; LITIGATION ALERT

## CHANGES TO THE QUEENSLAND CIVIL MONETARY LIMITS

In 2008, The Honourable Martin Moynihan AO QC was commissioned to review the civil & criminal justice system in Queensland. The Report<sup>1</sup> delivered in December 2008, recommended change to the monetary limits for civil matters in Queensland.

## NEW TRIBUNAL

The Report recommended an increase in minor debt claims and the Small Claims Tribunal matters from the \$7,500 limit to \$25,000. On the 1 December 2009, the Queensland Civil & Administrative Tribunal ('QCAT') commenced with the jurisdiction to hear minor civil disputes. QCAT was the amalgamation of over 23 jurisdictions into the one 'Super Tribunal' to streamline the process, costs and access to alternative dispute resolution alternatives. The recommendation of the increase of limit for minor debt disputes has therefore been in effect for eight months.

## NEW MONETARY LIMITS

Following the commencement of QCAT, the *Civil and Criminal Jurisdiction Reform and Modernisation Amendment Act 2010* ('the Act') was introduced to amend the monetary limits in the Magistrates, District and Supreme Courts of Queensland.

The Act was passed on the 13 August with the following amendments to commence on the **1 November 2010**.

Court	Magistrates Court	District Court	Supreme Court
Prescribed Limit	Increase to \$ 150,000	Increase to \$ 750,000	No upper limit

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The Moynihan Report recommended the change to the Magistrates Court limit based a review of the damages awarded in personal injury related matters. The District Court limit was increased due to a review of litigation regarding land matters where the value of the land was required to be under \$250,000. As the value of land increases and CPI impacts on the market value, more matters would have required commencement in the Supreme Court if the value exceeded the \$250,000.

### FURTHER REVIEWS

Moynihan recommended a review every 5 years, and adjustments made to reflect the then current value of money.

1. Review of the civil and criminal justice system in Queensland; Hon Martin Moynihan Dec 2008, available from [www.justice.qld.gov.au](http://www.justice.qld.gov.au) under 'Community consultation activities'

For further assistance, please contact Greg Young, Guy Edgecombe or Gary Woodman on 1300 369 581.



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