**INFORMATION FOR PARTIES SEEKING TO SERVE A SUBPOENA, SUMMONS, NOTICE TO PRODUCE OR LIKE DOCUMENT ON A NSW HEALTH PROFESSIONAL COUNCIL**

This document provides information for parties seeking to serve a subpoena, or like document, upon any of the following Councils:

Aboriginal and Torres Strait Islander Health Practice Council of New South Wales

Chinese Medicine Council of New South Wales

Chiropractic Council of New South Wales

Dental Council of New South Wales

Medical Council of New South Wales

Medical Radiation Council of New South Wales

Nursing and Midwifery Council of New South Wales

Occupational Therapy Council of New South Wales

Optometry Council of New South Wales

Osteopathy Council of New South Wales

Paramedicine Council of New South Wales

Pharmacy Council of New South Wales

Physiotherapy Council of New South Wales

Podiatry Council of New South Wales

Psychology Council of New South Wales

**To whom should the subpoena or like document be addressed?**

Subpoenas or like documents should be addressed to the Executive Officer of the relevant Council at the following address:

|  |  |
| --- | --- |
| Medical Council of NSW  PO Box 104  GLADESVILLE NSW 1675  Inquiries: Legal Support Clerk  Telephone: (02) 9879 2200 | All other Councils  Locked Bag 20  HAYMARKET NSW 1238  Inquiries: Council Executive Officer  Telephone: 1300 197 177 |

**How much will it cost?**

1. **If you are requiring a person to attend and give evidence only**

The conduct fee is **$90**.

1. **If you are requiring production of documents**

The fee for the costs incurred in retrieving, copying, and forwarding documents to the Court or authority requiring the production will vary depending on whether the request is simple or complex and how much time is given to comply.

A **simple request** is defined as a request for documents relating to an identifiable event, where a date of incident is provided and where at least 5 full working days’ notice is given.

The fee for production of documents in response to a simple request is **$74**.

This is to be paid upon service and includes payment for up to one hour of staff time and up to 20 A4 black and white photocopies.

Additional black and white A4 photocopies over 20 pages will attract a fee of **$0.40 per page**.

A **complex request** is one of generality, not easily defined, where few details are provided or encompassing numerous events, or any request where less that 5 full working day’s notice is given.

The fee for production of documents in response to a complex request is **$111**.

This is to be paid upon service and includes payment for up to one hour of staff time and up to 20 A4 black and white photocopies.

Additional black and white A4 photocopies over 20 pages will attract a fee of **$0.40 per page**.

1. **Additional charges**

Councils reserve the right to require additional charges where there is significant work associated with obtaining files and identifying the documents that need to be produced. As a general rule additional charges will be levied if more than 1 hour of staff time is consumed in identifying and retrieving requested documents.

If additional costs are anticipated, you will be notified and provided with an estimate. Please note that an estimate is not a quotation, and therefore may vary from the final cost.

**Method of payment**

Payment may be made by money order or cheque payable to the relevant Council.

Health Professional Councils Authority

Legal Services

March 2012; updated: August 2012; September 2014, August 2015, September 2016, October 2017, August 2018

**Document control**

|  |  |  |
| --- | --- | --- |
| **Approved by** | **Date** | **Review date** |
| Director, HPCA | 23.3.2012 | June 2013 |
| Director, HPCA | 23.9.2014 | August 2015 |
| Director, HPCA | 6.8.2015 | August 2016 |
| Director, HPCA | 22.9.2016 | August 2017 |
| Director, HPCA | 26.10.2017 | October 2018 |
| Director, HPCA | 20.08.2018 | August 2019 |



**Subpoenas and like documents**

**Fee schedule as at 20 August 2018**

|  |  |  |
| --- | --- | --- |
| **Attendance** | | |
| Requiring attendance to give evidence | Conduct fee | $90 |
| **Production of documents** | | |
| Simple request – a request for documents relating to an identifiable event, where a date of incident is provided and at least 5 full working days’ notice is given | 1 hour staff time + up to 20 x A4 black and white photocopies | $74 |
|  | Per A4 black and white photocopied page in excess of 20 pages | 0.40c |
| Complex request – general request, not easily defined, few details provided, encompassing numerous events, or where less than 5 full working day’s notice is given | 1 hour staff time + up to 20 x A4 black and white photocopies | $111 |
|  | Per A4 black and white photocopied page in excess of 20 pages | 0.40c |
| Additional charges – may be incurred where significant work associated with obtaining files and identifying the documents that need to be produced. | Estimate determined on case by case basis. Please note that an estimate is not a quotation, and therefore may vary from the final cost. | |

**Further information:**

Health Professional Councils Authority

Level 6, North Wing, 477 Pitt Street, Sydney

Postal address: Locked Bag 20, Haymarket NSW 1238

**Telephone:**    1300 197 177   
**TTY Service:** (02) 9219 0250  
**Facsimile:**  (02) 9281 2030   
**Email:**             [mail@hpca.nsw.gov.au](mailto:mail@hpca.nsw.gov.au)

Web: [www.hpca.nsw.gov.au](http://www.hpca.nsw.gov.au)