

EXPLANATORY STATEMENT

No. 10 of 1980

Subject: Australian Capital Territory


Court of Petty Sessions (Amendment) Ordinance (No. 2) 1980

The purpose of this Ordinance is to amend the Court of Petty Sessions Ordinance 1930 of the Australian Capital Territory so as to facilitate the introduction of new fees payable in respect of proceedings in the Court.

The principal amendment is the repeal of section 245, which previously permitted fees to be prescribed by rules or regulations under the Ordinance and for them to be paid in advance, and its replacement by a new section 245. The new section is in similar terms but makes special provision regarding fees for the service of execution of process. Those fees are not to be paid in advance where the fee payable cannot be calculated in advance, that is, where the amount of the fee is to be calculated by reference to expenses actually incurred in the service and execution of process.

The new fees will be prescribed by Rules of Court, made by the Attorney-General under the Ordinance, as are the present fees.

(Authorized by the Attorney-General)


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