

COURT OF PETTY SESSIONS ORDINANCE

COURT OF PETTY SESSIONS RULES*

REGULATIONS 1967, No. 2†

1. Rule 2 of the Court of Petty Sessions Rules is amended by omitting the words "Part IXA.—Recording of Depositions (Rules 58A-58E).". Parts.

2. Rule 29 of the Court of Petty Sessions Rules is amended by omitting from sub-rule (1.) the words "Five shillings" and inserting in their stead the words "Fifty cents". Default summons may be exchanged for ordinary summons.

3. Rule 30 of Court of Petty Sessions Rules is amended by omitting the scale and inserting in its stead the following scale:— Costs.

	\$	\$	\$	\$
Where the subject matter exceeds	50	100	200	400
But does not exceed	50	100	200	400
Costs on issuing a default summons	4.00	6.00	9.00	12.00
Additional costs on entering judgment where no defence is entered and summons served in the Territory	3.00	4.00	6.00	8.00
Additional costs on entering judgment where no defence is entered and order for leave to proceed under section 139 of the Ordinance is obtained ..	6.00	7.00	9.00	11.00

4. Part IXA. of the Court of Petty Sessions Rules is repealed.

Repeal of Part IXA.

5. Rule 68A of the Court of Petty Sessions Rules is repealed.

Witnesses' expenses.

6. The Third Schedule to the Court of Petty Sessions Rules is repealed.

Third Schedule.

7.—(1.) The First Schedule to the Court of Petty Sessions Rules is amended—

Amendments of Schedules in relation to decimal currency.

(a) by omitting from the Forms in that Schedule the symbols "£ s. d." and "£" (wherever occurring) and inserting in their stead the symbol "\$"; and

(b) by omitting from Form 19 the words "One pound" and inserting in their stead the words "Two dollars".

(2.) The Second Schedule to the Court of Petty Sessions Rules is repealed and the following Schedule inserted in its stead:—

SECOND SCHEDULE

Rule 68.

FEEs

\$

- | | |
|---|------|
| 1. For drawing information, complaint, defence, plea, notice, application, affidavit or other document at the request of a party (other than a recognizance on appeal or security to pay) | 1.00 |
|---|------|

* For references to the *Commonwealth Gazettes* in which the original Rules and amending Rules made before 1960 were notified, see footnote on p. 228 of Volume III. of "Laws of the Australian Capital Territory 1911-1959", and for later amendments, see Regulations 1960, No. 7; and 1965, No. 9.

† Made under the *Court of Petty Sessions Ordinance 1930-1967* on 10 February 1967; notified in the *Commonwealth Gazette* and commenced on 23 February 1967.

COURT OF PETTY SESSIONS ORDINANCE—

SECOND SCHEDULE—*continued*

	\$
2. On the laying of an information or the making of a complaint, in writing, with summons (including a copy for service) or warrant, for each defendant	1.00
3. For issuing a summons or warrant other than a summons or warrant upon an information or complaint	1.00
4. For filing a defence, notice of intention to defend (including by way of a special defence) or notice of the grounds of defence to a default summons	1.00
5. For filing particulars of set-off	1.00
6. For filing a confession	1.00
7. For filing an admission	1.00
8. For filing notice of discontinuance	1.00
9. For filing notice of payments into Court or notice of acceptance of a sum paid into Court	1.00
10. For filing an application to remove an action to the Supreme Court ..	2.00
11. For filing an application for time to pay	0.50
12. For filing any other application	1.00
13. For issuing an order of the Court where no application for the order is filed	0.50
14. On entering a default judgment	1.00
15. For filing a notice of appeal	0.50
16. For taking a recognizance on appeal (including the issue of necessary notices) or security to pay	1.00
17. For issuing a certificate of conviction or dismissal or of judgment (including sealing)	1.00
18. For an office copy of a record of the Court, document filed in the Clerk's office, transcript, plan, map, drawing, photograph or judgment, for each page	0.25
19. For issuing any other certificate	0.50
20. For examining and certifying a document	0.50
21. For filing an affidavit (other than an affidavit in support of a matter, an affidavit verifying a defence, an affidavit of service or an affidavit verifying a debt)	0.50
22. For filing a document for which a fee is not elsewhere prescribed ..	0.50
23. For a search in an index, each name	0.50
24. For the inspection of a judgment	0.30
25. For the inspection of any other record, each matter	0.50
26. For possession under a warrant of execution, for each person engaged per day	6.00
27. For making levy under a warrant of execution	2.00
28. For collection under a warrant of execution where the amount is paid on demand	1.00
29. For the service or transmission of a matter or process outside the Territory, an additional	0.20
30. For serving or attempting to serve a summons, notice or process, or executing or attempting to execute a warrant (including the return)—	
(a) within one mile from the office of the Court	0.50
(b) for each additional radial mile or part of a mile from the office of the Court	0.30