

THE TERRITORY FOR THE SEAT OF GOVERNMENT.

Rules under the Court of Petty Sessions Ordinance 1930-1937.

I ROBERT GORDON MENZIES, the Attorney-General of the Commonwealth, in pursuance of the powers conferred upon me by the *Court of Petty Sessions Ordinance 1930-1937*, hereby make the following Rules under the said Ordinance.

Dated this seventeenth day of December, 1937.

ROBERT G. MENZIES

Attorney-General.

AMENDMENT OF COURT OF PETTY SESSIONS RULES.

1. Rule 3 of the Court of Petty Sessions Rules is amended by inserting, after the definition of "Clear days", the following definition:—

Definitions.

" 'Clerk of Petty Sessions' means Clerk of the Court of Petty Sessions."

2. Rule 8 of the Court of Petty Sessions Rules is amended by omitting the word "forthwith" and inserting in its stead the words "at least three days before the return date".

Affidavit of service of summons to be filed.

3. Rule 9 of the Court of Petty Sessions Rules is amended by omitting all the words commencing with the words "Any police officer" and ending with the words "has not been executed" and inserting in their stead the words "Any police officer charged with the execution of a warrant of execution shall report, in writing, to the Clerk, upon the expiry of seven days after the delivery of the warrant for execution, what has been done under the warrant; and thereafter upon the expiry of each succeeding seven days; and, if the warrant be not executed within one month after such delivery, why it has not been executed;"

Reports as to action taken on warrants of execution.

4. Rule 29 of the Court of Petty Sessions Rules is repealed and the following rule inserted in its stead:—

"29.—(1.) A default summons may, at the request, in writing, of the complainant and on payment of a fee of One shilling and sixpence (which fee shall not be recoverable from the defendant), be exchanged for an ordinary summons (in this rule referred to as an 'exchanged summons') upon being returned to the Clerk unserved within twelve months of its issue.

Default summons may be exchanged for ordinary summons.

"(2.) An exchanged summons shall bear the same date and number as the default summons and shall bear the endorsement 'Exchanged Summons' together with the initials of the Clerk issuing the exchanged summons."

Costs.

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

	£	£	£	£
Where the subject matter exceeds..	..	10	30	100
But does not exceed	10	30	100	200
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Amount of Solicitor's or Attorney's costs to be entered	0 12 6	0 16 8	1 17 6	2 10 0
Amount of Solicitor's or Attorney's costs for which judgment may be given where judgment is entered pursuant to the non-entry of a defence	0 7 6	0 10 0	1 2 6	1 10 0

Fees.

6. Rule 68 of the Court of Petty Sessions Rules is amended by inserting, after the word "shall" (last occurring), the words " , subject to the Ordinance,".