



Australian Capital Territory

National Crime Authority (Territory Provisions) Regulations

Subordinate Law No. 39 of 1995¹

The Australian Capital Territory Executive makes the following Regulations under the *National Crime Authority (Territory Provisions) Act 1991*.

Dated 5 October 1995.

KATE CARNELL
Minister

GARY HUMPHRIES
Minister

Citation

1. These Regulations may be cited as the National Crime Authority (Territory Provisions) Regulations.

Commencement

2. These Regulations commence on the day on which they are notified in the *Gazette*.

Interpretation

3. In these Regulations, unless the contrary intention appears—
“the Act” means the *National Crime Authority (Territory Provisions) Act 1991*.

Service of summons to appear before Authority

4. (1) For the purposes of subsection 18 (1) or paragraph 18 (2) (c) of the Act, each of the following manners of serving a summons is prescribed:

- (a) where the person named in the summons is a natural person—
 - (i) tendering a copy of the summons to the person or, if on tender of the copy the person refuses to accept it, putting it down in the presence of the person or leaving it at or upon the place or premises where the person is;
 - (ii) if service in a manner specified in subparagraph (i) is not practicable—leaving a copy of the summons at the last known or usual place of residence or business of the person with another person who is, or is reasonably believed to be, over the age of 16 years and is, or is reasonably believed to be, residing or employed at that place or sending a copy of the summons by registered post or certified mail to the person at the last known or usual place of residence or business of the person or at the last known or usual postal address of the person; or
 - (iii) if a Judge has given a direction under subregulation (2)—service in accordance with the direction;
- (b) where the person named in the summons is a body corporate—
 - (i) tendering a copy of the summons to a person who is, or is reasonably believed to be, an officer or employee of the body corporate and is, or is reasonably believed to be, over the age of 16 years, at the head office, a registered office, a principal office or a principal place of business of the body corporate or, if on tender of the copy the person refuses to accept it, leaving it at or upon the premises; or

- (ii) sending a copy of the summons by registered post or certified mail to the head office, a registered office, a principal office or a principal place of business of the body corporate or a postal address of the body corporate.

(2) A Judge may direct that service of a summons to be served on a natural person may be effected by—

- (a) leaving a copy of the summons with another specified person; or
- (b) sending a copy of the summons by registered post or certified mail to the person to be served at a specified address.

(3) A Judge shall not give a direction under subregulation (2) unless satisfied on information furnished in writing by a member that—

- (a) service on the person in a manner specified in subparagraph (1) (a) (i) or (ii) has not been, or is not likely to be, successful;
- (b) in the case of a direction under paragraph (2) (a)—the person to be specified in the direction is likely to bring the contents of the summons to the notice of the person to be served; and
- (c) in the case of a direction under paragraph (2) (b)—the address to be specified in the direction is the address of a place frequented by the person to be served.

NOTE

Notification

1. Notified in the ACT Gazette on 13 October 1995.

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