



Australian Capital Territory

Australian Crime Commission (ACT) Regulation 2004

SL2004-21

made under the

Australian Crime Commission (ACT) Act 2003

Republication No 2

Effective: 4 November 2004

Republication date: 4 November 2004

Regulation not amended
(republication includes editorial amendments
under [Legislation Act](#))

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Australian Crime Commission (ACT) Regulation 2004*, made under the *Australian Crime Commission (ACT) Act 2003* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 4 November 2004. It also includes any commencement, repeal or expiry affecting the republished law.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial amendments

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



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R2
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Australian Crime Commission (ACT) Regulation 2004

made under the

Australian Crime Commission (ACT) Act 2003

1 Name of regulation

This regulation is the *Australian Crime Commission (ACT) Regulation 2004*.

3 Notes

A note included in this regulation is explanatory and is not part of this regulation.

Note See the [Legislation Act](#), s 127 (1), (4) and (5) for the legal status of notes.

4 Service of summons on individuals—Act, s 26 (1) and (3)

- (1) A summons may be served on an individual by—
 - (a) giving a copy of the summons to the individual; or
 - (b) if on the giving of the summons the individual refuses to accept it—
 - (i) putting it down in the presence of the individual; or
 - (ii) leaving it at or on the place or premises where the individual is.
- (2) If service under subsection (1) is not practicable, a copy of the summons may be served on an individual by—
 - (a) leaving it at the last-known or usual place of residence or business of the individual with someone else who is, or is reasonably believed to be—
 - (i) over 16 years old; and
 - (ii) living, or employed, at that place; or
 - (b) sending it by registered post or certified mail to the individual at the last-known or usual place of residence or business, or postal address, of the individual.

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- (3) A judge may direct that a summons may be served on an individual by—
- (a) leaving a copy of the summons with another individual identified in the direction, who in the judge’s opinion is a person likely to bring the contents of the summons to the notice of the individual; or
 - (b) sending a copy of the summons by registered post or certified mail to an address stated in the direction, that the judge has reasonable grounds to believe to be the address of a place frequented by the individual.
- (4) However, a judge must not give a direction under subsection (3) unless the judge is satisfied, based on information given in writing by an examiner, that—
- (a) service of the summons on the individual under subsection (1) or (2) has not been, or is not likely to be, successful; and
 - (b) service of the summons in accordance with the direction is likely to result in the summons coming to the notice of the individual.
- (5) In this section:
- judge*** includes a judge of the Federal Court.

Note ***Judge*** is defined in the [Legislation Act](#) to mean a resident judge, additional judge or acting judge under the [Supreme Court Act 1933](#) (see [Legislation Act](#), dict, pt 1).

5 Service of summons on corporations—Act, s 26 (1) and (3)

A summons may be served on a corporation by—

- (a) giving a copy of the summons to a person, at the head office, a registered office, a principal office or a principal place of business of the corporation, who is, or is reasonably believed to be—

- (i) an officer of, or in the service of, the corporation; and
- (ii) over 16 years old; or
- (b) if the person refuses to accept a copy of the summons—leaving it at or on the premises where the person is; or
- (c) 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, or postal address, of the corporation.

6 Approved forms

- (1) The Minister may, in writing, approve forms for the Act.
- (2) If the Minister approves a form for a particular purpose, the approved form must be used for that purpose.
- (3) An approved form is a notifiable instrument.

Note For other provisions about forms, see the [Legislation Act](#), s 255.

Note A notifiable instrument must be notified under the [Legislation Act](#).

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	par = paragraph/subparagraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	pt = part
exp = expires/expired	r = rule/subrule
Gaz = gazette	renum = renumbered
hdg = heading	reloc = relocated
IA = Interpretation Act 1967	R[X] = Republication No
ins = inserted/added	RI = reissue
LA = Legislation Act 2001	s = section/subsection
LR = legislation register	sch = schedule
LRA = Legislation (Republication) Act 1996	sdiv = subdivision
mod = modified/modification	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

Endnotes

3 Legislation history

3 Legislation history

This regulation was originally the *Australian Crime Commission (ACT) Regulations 2004*. It was renamed under the *Legislation Act 2001*.

Australian Crime Commission (ACT) Regulation 2004 SL2004-21

notified LR 22 June 2004

s 1, s 2 commenced 22 June 2004 (LA s 75 (1))

remainder commenced 23 June 2004 (LA s 73 (3))

4 Amendment history

Name of regulation

s 1 am R2 LA

Commencement

s 2 om LA s 89 (4)

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Except for the footer, electronic and printed versions of an authorised republication are identical.

Republication No and date	Effective	Last amendment made by	Republication for
R1 23 June 2004	23 June 2004 3 Nov 2004	not amended	new regulation

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