

# **NORTHERN TERRITORY OF AUSTRALIA**

## **COMMISSION OF INQUIRY (CHAMBERLAIN CONVICTIONS) REGULATIONS**

As in force at 30 April 1986

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# NORTHERN TERRITORY OF AUSTRALIA

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As in force at 30 April 1986

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## COMMISSION OF INQUIRY (CHAMBERLAIN CONVICTIONS) REGULATIONS

### Regulations under the *Commission of Inquiry (Chamberlain Convictions) Act*

#### 1 Citation

These Regulations may be cited as the *Commission of Inquiry (Chamberlain Convictions) Regulations*.

#### 2 Interpretation

In these Regulations, **scale** means the scale of witnesses' expenses specified in Schedule 2.

#### 3 Summons

- (1) A summons to a person to appear before the Commission shall be in the form set out in Schedule 1.
- (2) For the purposes of section 7(1) and (2) of the Act, a summons is served:
  - (a) where the person named in it is an individual, by handing the summons to the person or, if on tender of the summons the person refuses to accept it, putting it down in the person's presence after the person has been told of the nature of the summons; or
  - (b) where the person named in it is a corporation, by handing the summons to a person apparently an officer of, or in the service of, the corporation and apparently of or above the age of 16 years:
    - (i) at the registered office of the corporation; or
    - (ii) if there is no registered office, at the principal place of business or the principal office of the corporation,

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or, if on tender of the summons the person refuses to accept it, putting it down in the person's presence after the person has been told of the nature of the summons.

#### **4        Witnesses' expenses**

- (1) A witness summoned under section 6(1) of the Act to appear, and appearing, before the Commission to give evidence shall be paid expenses in accordance with the scale.
- (2) A witness appearing before the Commission to give evidence who has not been summoned under section 6(1) of the Act shall be paid expenses in accordance with the scale if the Commission so directs.

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## Schedule 1

regulation 3(1)

### NORTHERN TERRITORY OF AUSTRALIA

#### *Commission of Inquiry (Chamberlain Convictions) Act*

SUMMONS TO APPEAR BEFORE THE COMMISSION INQUIRING INTO MATTERS RELATING TO THE CONVICTION OF ALICE LYNNE CHAMBERLAIN FOR MURDER AND OF MICHAEL LEIGH CHAMBERLAIN FOR BEING AN ACCESSORY AFTER THE FACT TO THAT MURDER

TO: (name)  
(address)

I, TREVOR REES MORLING, the Commission appointed under section 3 of the *Commission of Inquiry (Chamberlain Convictions) Act* by an instrument of appointment dated 1 April 1986, in pursuance of section 6(1) of that Act HEREBY SUMMON YOU:

- (a) to appear before the Commission at the hearing to be held at (*address where Commission is to sit*) on (*date*) at (*time*) to give evidence in relation to the matters into which the Commission is inquiring [and to produce this summons and any document or other thing described in the Schedule]\*; and
- (b) to attend from day to day unless excused or released from further attendance.

### SCHEDULE

(*description of documents and other things*)

Dated this            day of            , 19    .

.....  
Commissioner

*\*Omit or amend, as necessary*

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**Schedule 2**

regulations 2 and 4

**SCALE OF WITNESSES' EXPENSES**

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Witnesses called because of their professional skill or knowledge	72.60 to 383.30
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Witnesses generally	40.40
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Or, if remunerated in their occupations by wages, salary or fees, the amount lost by the witness by the attendance of the witness, not exceeding \$67 for each day of attendance.

A witness is a country witness if he does not reside within 40 km of the place where the Commission is sitting.

In addition to the above allowances, country witnesses may be allowed such sum as the Commissioner thinks reasonable to provide for actual expenses of conveyance to and from the place where the Commission is sitting and a reasonable amount for maintenance or sustenance.

The Commissioner may also allow such amount as he thinks reasonably and properly incurred and paid to witnesses for qualifying to give evidence, whether skilled or not.

Notwithstanding anything in the scale, the Commissioner may allow to an expert witness a special fee for any attendance on the Commission not covered by the foregoing items of this scale when the witness is acting as an expert in assisting counsel or a legal practitioner for a period during the hearing.

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## ENDNOTES

### 1 KEY

Key to abbreviations

amd = amended  
app = appendix  
bl = by-law  
ch = Chapter  
cl = clause  
div = Division  
exp = expires/expired  
f = forms  
*Gaz* = *Gazette*  
hdg = heading  
ins = inserted  
lt = long title  
nc = not commenced

od = order  
om = omitted  
pt = Part  
r = regulation/rule  
rem = remainder  
renum = renumbered  
rep = repealed  
s = section  
sch = Schedule  
sdiv = Subdivision  
SL = Subordinate Legislation  
sub = substituted

### 2 LIST OF LEGISLATION

***Commission of Inquiry (Chamberlain Convictions) Regulations (Act No. 13, 1986)***

Notified	30 April 1986
Commenced	30 April 1986