### NORTHERN TERRITORY OF AUSTRALIA

## AMENDMENTS OF SHERIFF REGULATIONS

Regulations 2000, No. 11\*

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#### SCHEDULE



Regulations 2000, No. 11\*

### Regulations under the Sheriff Act

I, NEIL RAYMOND CONN, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Sheriff Act*.

Dated 29 February 2000

N. R. CONN Administrator

By His Honour's Command

DENIS G. BURKE Attorney-General

\* Notified in the Northern Territory Government Gazette on 1 March 2000

## AMENDMENTS OF SHERIFF REGULATIONS

## 1. Principal Regulations

The Sheriff Regulations are in these Regulations referred to as the Principal Regulations.

#### 2. Service of process by sheriff

Regulation 10(3) of the Principal Regulations is amended -

- (a) by omitting "affidavid of the bailiff or officer" and substituting "affidavit of the sheriff or officer of the sheriff"; and
- (b) by omitting "or any bailiff".

#### 3. New regulation

The Principal Regulations are amended by inserting after regulation 16 the following:

## "16A. Sheriff may waive poundage

"The sheriff or an officer of the sheriff may waive poundage payable to him or her in respect of a warrant of execution.".

### 4. Repeal and substitution

The Schedule to the Principal Regulations is repealed and the following substituted:

#### "SCHEDULE

**Regulation 22** 

#### FEES PAYABLE TO SHERIFF

میں میں میں اور ۸ - اور ۱۰ - اور ۱۰ - اور	MATTERS FOR WHICH FEES PAYABLE	FEES	•
1.	Service of a writ, notice, order, summons or other document if the distance travelled from the office or residence of the sheriff or officer of the sheriff (as applicable) is 25 kilometres or less	\$113	
	Subject to items 3 and 4, service of a writ, notice, order, summons or other document	\$113 plus 90 cents for each kilometre by which the	

2

#### Sheriff Regulations

if the distance travelled from the office or residence of the sheriff or officer of the sheriff (as applicable) exceeds 25 kilometres

- 3. Service if the distance travelled is in accordance with item 2 and is for the purpose of serving one person with more than one document
- 4. Service if the distance travelled is in accordance with item 2 and is for the purpose of serving more than one person in the same locality
- Executing a warrant or other process of execution if the distance travelled from the office or residence of the sheriff or officer of the sheriff (as applicable) is 25 kilometres or less
- Subject to items 7 and 8, executing a warrant or other process of execution if the distance travelled from the office or residence of the sheriff or officer of the sheriff (as applicable) exceeds 25 kilometres
- 7. Executing process if the distance travelled is in accordance with item 6 and is for the purpose of executing more than one process in respect of the same person
- 8. Executing process if the distance travelled is in accordance with item 6 and is for the purpose of executing process in respect of more than one person in the same locality

distance travelled exceeds 25 (one way)

The fee at item 2 is payable in respect of the first document to be served and half that fee is payable in respect of each other document to be served

The fee at item 2 is payable in respect of the first person to be served and half that fee is payable in respect of each other person to be served

\$160

\$160 plus 90 cents for each kilometre by which the distance travelled exceeds 25 (one way)

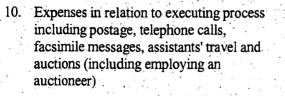
The fee at item 6 is payable in respect of the first process to be executed and half that fee is payable in respect of each other process to be executed

The fee at item 6 is payable in respect of the first person in relation to whom process is to be executed and half that fee is payable in respect of each other person in relation to whom process is to be executed

### Sheriff Regulations

9. Poundage in relation to a warrant of execution

.05% of the total amount levied on the property taken under the warrant



The amount actually and reasonably paid

The amount actually and

The amount actually and

\$50 if it is authorised in

writing by the Master".

\$50, or an amount in excess of

reasonably paid

reasonably paid

\$125

#### 11. Arresting a person

- 12. Travelling or other expenses of the sheriff or officer of the sheriff and prisoner when attending a court in pursuance of a Judge's order
- 13. Expenses in respect of sheriff's assistants
- 14. A matter incidental to the performance of the duties of the sheriff or officer of the sheriff not specified in this Schedule

#### Further amendments

5.

## The Principal Regulations are amended as set out in the Schedule.

# SCHEDULE

Regulation 5

Provision	A	mendment	
	omit	substitute	
Regulation 2	"and includes a Deputy Master of the Court"		
Regulation 5(4) and (5)(a)	"writ"	"warrant"	
Regulations 6, 7 and 8	"writ" (wherever occurring)	"warrant"	
Regulation 16	"writ"	"warrant"	

## Sheriff Regulations

Regulation 17

"travelling from his office or residence for the service of any writ of summons" "travel from his or her office or residence for the service of a writ"

**Regulation 20** 

"writ" (wherever occurring)

"warrant"

### ALTERATION TO REGULATION HEADING

On the day on which the Sheriff Regulations are amended by these Regulations, the heading to regulation 20 of the Sheriff Regulations is altered by omitting "writ, &c." and substituting "warrant etc.".