

NORTHERN TERRITORY OF AUSTRALIA
AMENDMENTS OF SHERIFF REGULATIONS

Regulations 2000, No. 11*

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NORTHERN TERRITORY OF AUSTRALIA

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

Sheriff Regulations

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The Schedule to the Principal Regulations is repealed and the following substituted: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

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
2. 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

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| if the distance travelled from the office or residence of the sheriff or officer of the sheriff (as applicable) exceeds 25 kilometres | distance travelled exceeds 25 (one way) |
| 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 | 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 |
| 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 | 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 |
| 5. 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 | \$160 |
| 6. 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 | \$160 plus 90 cents for each kilometre by which the distance travelled exceeds 25 (one way) |
| 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 | 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 |
| 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 | 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 |

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| 9. Poundage in relation to a warrant of execution | .05% of the total amount levied on the property taken under the warrant |
| 10. Expenses in relation to executing process including postage, telephone calls, facsimile messages, assistants' travel and auctions (including employing an auctioneer) | The amount actually and reasonably paid |
| 11. Arresting a person | \$125 |
| 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 | The amount actually and reasonably paid |
| 13. Expenses in respect of sheriff's assistants | The amount actually and reasonably paid |
| 14. A matter incidental to the performance of the duties of the sheriff or officer of the sheriff not specified in this Schedule | \$50, or an amount in excess of \$50 if it is authorised in writing by the Master". |

5. Further amendments

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

SCHEDULE

Regulation 5

Provision	Amendment	
	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"

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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.".