

NORTHERN TERRITORY OF AUSTRALIA

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Regulations 1984, No. 8 \*

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Regulations under the *Sheriff Act*

I, ERIC EUGENE JOHNSTON, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, hereby make the following Regulations under the *Sheriff Act*.

Dated this 23rd day of February, 1984.

E.E. Johnston  
Administrator

By His Honour's Command  
T. Harris  
Minister for Education  
acting for and on behalf of the  
Attorney-General

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AMENDMENTS OF THE SHERIFF REGULATIONS

1. SERVICE AT A DISTANCE

Regulation 17 of the Sheriff Regulations is amended -

- (a) by omitting "40 miles" and substituting "60 kilometres"; and
- (b) by omitting "100 miles of mileage" and substituting "160 kilometres of the number of kilometres travelled".

2. EXECUTION OF PROCESS AT A DISTANCE

Regulation 18 of the Sheriff Regulations is amended -

- (a) by omitting from sub-regulation (1) "mileage" and substituting "the number of kilometres travelled"; and

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\* Notified in the *Northern Territory Government Gazette*  
on 14 MAR, 1984.

*Amendments of the Sheriff Regulations*

(b) by omitting from sub-regulation (2) -

(i) "mileage" and substituting "number of kilometres travelled"; and

(ii) "miles" and substituting "kilometres".

3. REPEAL AND SUBSTITUTION

The Schedule to the Sheriff Regulations is repealed and the following substituted:

"THE SCHEDULE

FEEES TO BE TAKEN IN THE SHERIFF'S OFFICE

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1. (a) Receiving and entering any writ of execution or Judge's order and (where necessary) issuing warrant on same.....	10
(b) Where warrant is issued to a person appointed under section 12 of the Ordinance, an additional.....	5
2. Receiving and entering any writ of summons, notice, order, summons, or other document for service, each copy.....	10
3. (a) For service of every writ of summons, notice, order, summons, or other document.....	10
(b) And for the number of kilometres travelled on service where the distance from the sheriff's office or the bailiffs office or residence is over one kilometre for each extra kilometre (one way).....	0.30
4. For every arrest made within one kilometre of the sheriff's office or the bailiff's office or residence.....	25
5. For conveying the defendant to gaol from place of arrest the amount actually and reasonably incurred, including refreshments where absolutely necessary.....	
6. Executing any warrant or other process of execution if the distance from the sheriff's office or bailiff's office or residence does not exceed one kilometre....	15

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| 7. The number of kilometres travelled on making each arrest, or executing each warrant or other process, where the distance from the sheriff's office or the bailiff's office or residence is over one kilometre for each extra kilometre (one way).....                              | 0.30              |
| 8. Where more than one process or document is to be executed or served at the same time on the same person, or on different persons in the same locality, one-half only of the fees for the number of kilometres travelled provided by Fees Nos. 3(b) and 7 shall be paid or allowed. |                   |
| 9. Bailiff's assistants - when necessary, the amounts actually and reasonably incurred.   |                   |
| 10. (a) For work done by the sheriff's officer in making inquiries as to claims for rent or to the goods, including copying claims and giving the necessary notice to all parties, a sum not exceeding.....   | 10                |
| (b) And for all out-of-pocket expenses actually and reasonably incurred in relation to such work, including postage, telegraphic and telephonic messages, a further sum not exceeding.....  | 10                |
| 11. (a) For poundage on executing every writ of execution on lands, goods, chattels, or moneys on the amount levied.....  | .05 for every \$1 |
| (b) For poundage on every writ of possession, on the annual value of the property seized  |                   |
| 12. For returning any writ of execution on or matter of the like nature, exclusive of the fee paid for filing.....  | 5                 |
| 13. On every supersedeas order, or discharge to any writ or process, or for the release of any defendant out of custody in any action, or of goods taken in execution.....  | 10                |
| 14. For commission to the auctioneer or agent on sale by auction or private contract (to include inventory, valuation, and compiling catalogue and preparing for sale) -  |                   |

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(a) On sale of goods and chattels.....	10% on amount realized
(b) On sale of land (including chattel interest in land) -	
(i) on the first \$10,000.....	6% or \$25, whichever is the greater amount
(ii) on an amount in excess of \$10,000 but not exceeding \$50,000.....	4%
(iii) on any amount in excess of \$50,000.	3%
15. For auctioneer, if instructed to sell, but no sale takes place either by auction or by private contract -	
(a) If sale cancelled after advertisement, a sum not exceeding.....	25
(b) If sale cancelled after advertisement and lotting and actual preparation of goods for sale has commenced, an additional fee of.....	10
(c) If sale cancelled after advertising and lotting and actual preparation of goods for sale has commenced and in case of large and complicated sale involving a special amount of organization an additional fee not exceeding.	25
(d) Offering fee on property being passed in, a sum not exceeding.....	25
16. Where a sale takes place by auction or private contract, or when no sale takes place -	
(a) For advertising and giving publicity to any sale or intended sale, printing catalogues and bills, and distributing and posting the same.....	The sums actually and reasonably paid
(b) For labour (if any) employed in letting and showing goods or chattels, preparing catalogue and where a sale takes place by auction, attending the sale and superintending the removal of goods or chattels by purchasers.....	The sums actually and reasonably paid

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- (c) For auctioneer's travelling expenses, if goods or land for sale are situated beyond seven miles from his place of business, the sums actually and reasonably paid in respect of the distance beyond the first ten kilometres, or if the auctioneer used his motor car or motor cycle, and provided such use was reasonable, an allowance not exceeding 10¢ a kilometre beyond the first ten kilometres..... The sums actually and reasonably paid
17. (a) Where goods or animals or other livestock have been removed for warehousing or taking charge of same The sums actually and reasonably paid
- (b) For keep of animals or other livestock whilst in the custody of the sheriff, whether before or after removal
18. Out of pocket expenses incurred by bailiff or officer whilst executing any process, including postage and telegraphic and telephonic messages, and travelling expenses of assistants..... The sums actually and reasonably paid
19. Where an officer is required to attend the Court in charge of a prisoner ordered to attend for examination pursuant to a Judge's order, the reasonable travelling and other expenses of the officer and prisoner for each day or part of a day when the officer is necessarily engaged
20. Keeping office open after hours..... 25
21. For any duty or service not herein provided for, such sum as the Master may, upon special application, allow.
22. In any case where the sheriff, sheriff's officer, bailiff, or other person employed under the sheriff shall be necessarily put to and incur extra trouble and expense in the discharge of any duty incident to his office or employment, he shall be entitled to such reasonable extra payments as the Master may, upon special application, allow."