

Regulations under the *Mining Ordinance* 1939-1965

I ROGER LEVINGE DEAN, the Administrator of the Northern Territory of Australia, having received the advice of the Administrator's Council, in pursuance of the powers conferred on me by the *Mining Ordinance* 1939-1965 and the *Administrator's Council Ordinance* 1959-1963, hereby make the following Regulations.

Dated this 14th day of December, 1965.

R. L. DEAN,
Administrator

AMENDMENTS OF THE MINING REGULATIONS†

- | | |
|--------------------------|--|
| Commencement | 1. These Regulations shall come into operation on the fourteenth day of February, One thousand nine hundred and sixty-six. |
| The Schedule
—Form 43 | 2. Form 43 in the Schedule to the Mining Regulations is amended—
(a) by omitting the symbol “£” and inserting in its stead the symbol “\$”; and
(b) by omitting the words “pounds sterling” and inserting in their stead the word “dollars”. |
| The Schedule
—Form 45 | 3. Form 45 in the Schedule to the Mining Regulations is amended—
(a) by omitting the symbol “£” and inserting in its stead the symbol “\$”; and
(b) by omitting the word “pounds sterling” and inserting in their stead the word “dollars”. |
| The Schedule
—Form 57 | 4. Form 57 in the Schedule to the Mining Regulations is repealed and the following Form inserted in its stead:— |

“FORM 57

Reg. 236

THE NORTHERN TERRITORY OF AUSTRALIA

Mining Ordinance 1939-1965

SCALE OF COSTS AND FEES IN WARDEN'S COURT COSTS

	SCALE A		SCALE B	
	Where amount recovered does not exceed \$200	Where amount recovered exceeds \$200	Where amount recovered does not exceed \$200	Where amount recovered exceeds \$200
	\$	\$		
Instructions for plaint or defence	0.67	0.67		
Letter before action	0.35	0.35		
Drawing plaint	1.00	1.33		

* Notified in the *Northern Territory Government Gazette* on 15th December, 1965.

† Regulations 1940, No. 9, as amended by Regulations 1952, No. 5; 1954, No. 14; 1956, Nos. 13 and 22; 1958, No. 7; 1961, Nos. 7 and 23; and 1962, Nos. 1 and 18.

	\$	\$
Drawing defence, including set-off or counter-claim ..	1.00	1.33
or per folio	0.10	0.10
Attending lodging plaint or notice of defence ..	0.67	0.67
Attending Court, conducting case without Counsel when		
undefended (per diem) not exceeding	4.20	6.30
When defended (per diem) not exceeding	8.40	10.50
When Counsel engaged—		
Attending Counsel with brief	0.33	0.67
Appointing conference	0.67	0.67
Conference fee (if conferences allowed)	2.60	2.60
Counsel's fee on brief, not exceeding	10.50	21.00
Attending Court on hearing with Counsel (per		
diem) not exceeding	3.15	4.20
Refresher fee to Counsel on trial extending over		
more than one day and occupying more than		
four hours, not exceeding	6.30	10.50
Drawing bill of costs and copies, at per folio ..	0.10	0.10
Attending, lodging	0.50	0.50
Attending, taxation	0.67	0.67
Counsel or Solicitor's fee on adjournment when no part		
of the hearing takes place, not exceeding	2.10	4.20
Notice to produce	0.50	0.50
Notice to admit	0.50	0.50
Notice of application to review	0.50	0.50
Taxation or any other notice	0.50	0.50
Each letter to the opposite party or his solicitor		
which may be allowed on taxation	0.35	0.50
Each attendance on opposite party or his solicitor,		
which may be allowed on taxation	0.67	0.67
Drawing brief, per folio	0.10	0.10
Drawing affidavits, per folio	0.10	0.10
Attending swearing affidavits	0.67	0.67
Application for writ of execution	0.67	0.67
Application for subpoena	0.20	0.67
Each copy subpoena for service	0.10	0.10
All attendances at the Warden's Office, which may		
be allowed on taxation	0.33	0.67
Attending Court to support or oppose application		
not otherwise specified (per diem), not exceed-		
ing	4.20	6.30
Attending Court with Counsel on any such applica-		
tion (per diem) not exceeding	2.10	4.20
Drawing and copy of all necessary orders	0.40	0.67
All necessary copies, per folio	0.03	0.03

FEES

On lodging plaint or notice to lessee under section 88, sub-section (2.)	0.10
On issue of summons for each defendant	0.10
On issue of subpoena for each witness	0.10
On lodging notice of defence	0.10
On every order made by warden	0.25
On issue of every warrant of execution	0.25
On renewal of every warrant of execution	0.25
On filing of every affidavit	0.10
On every order made for injunction	0.50
For every copy supplied of a judgment, decision or order	0.10

BAILIFF'S FEE

For every process served by the bailiff	0.50
For every affidavit of service	0.10
For attendance at Court, on each hearing	0.10
On being instructed to levy for executing warrant	2.00
For keeping possession under writ of execution, per day	1.50
Poundage on amount raised and paid into Court	3 per cent.
or mileage in effecting service of any summons, notice, or other document, or to execute any writ or warrant of execution, Ten cents per mile or fraction thereof (one way only), except where a railway is available, in which case railway return fare shall	

be allowed, and, in addition, Fifty cents per half day and One dollar per day.

\$

		Allowances to Witnesses						
Professional men, per diem	2.10
All others, except labourers	1.50
Labourers	1.05

And in addition thereto, in each case, such sum as the warden considers reasonable to cover travelling and other expenses."
