

# LOCAL COURTS ORDINANCE 1974

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No. 14 of 1974

An Ordinance to amend the  
*Local Courts Ordinance* 1941 as amended

[Assented to 26 June 1974]

**B**E it ordained by the Legislative Council for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the *Local Courts Ordinance* 1974. Short title
2. The *Local Courts Ordinance* 1941 as amended is in this Ordinance referred to as the Principal Ordinance. Principal Ordinance
3. This Ordinance shall come into operation on the date of commencement of the *Local Courts Ordinance* 1964.\* Commencement
4. Section 4 of the Principal Ordinance is repealed. Repeal of section 4
5. Paragraphs (a) and (b) of section 92(1) of the Principal Ordinance are amended by omitting "200 miles" and substituting "300 kilometres". Defendant to appear within certain periods
6. The heading to Part XV of the Principal Ordinance is amended by omitting "Court Fees" and substituting "Bailiff's Fees". Heading to Part XV
7. After section 271 insert the following section:  
"272.(1) The fees specified in the Second Schedule are payable in respect of matters specified in that Schedule. Bailiff's fees  
"(2) Bailiff's fees shall be repaid to the party who paid them if service by the process in respect of which they were paid has not been effected and the bailiff has made only one attempt to effect service.

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\* That date was 1 July, 1974.

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“(3) A fee shall be paid in advance by the party for whose benefit the act or service in respect of which the fee is to be paid is to be done.

“(4) In default of the payment of a fee, payment may be ordered by a Judge or Stipendiary Magistrate, and such an order shall be enforced in like manner as an order of the Local Court.

“(5) A table of all fees shall be displayed in a conspicuous place in each courthouse and in the office of the Clerk of each Local Court.”.

Second  
Schedule

8. After the First Schedule to the Principal Ordinance insert the following Schedule:

“SECOND SCHEDULE

Section 272

**BAILIFF'S FEES**

1. Serving, or attempting to serve, a summons or notice of process, or executing, or attempting to execute, a warrant—
  - (a) within a radius of 2 kilometres from the office of the Court .. \$2.00
  - (b) for each additional kilometre of radius from the office of the Court .. \$0.30
2. Executing a warrant to give possession under Part XI or Part XII .. \$4.00
3. Levying .. \$4.00
4. Possession of goods on the premises under one or more warrants of execution—the amount of wages actually paid to the bailiff or bailiff's assistant.
5. Cartage on removal of goods or storage, if any—the amount actually paid for the cartage.
6. Feeding of horses or cattle seized—the amount actually paid for the feeding.
7. Sale of goods—the actual charges of the auctioneer.”.