

**Service and Execution of Process Amendment Act 1991**

**No. 124 of 1991**

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**Service and Execution of Process Amendment Act 1991**

**No.** **124 of 1991**

**An Act to amend the *Service and Execution of Process Act 1901***

[*Assented to 23 August 1991*]

The Parliament of Australia enacts:

**Short title etc.**

**1. (1)** This Act may be cited as the *Service and Execution of Process Amendment Act 1991.*

**(2)** In this Act, **“Principal Act”** means the *Service and Execution of Process Act 1901*1*.*

**Commencement**

**2.** This Act commences on the day on which it receives the Royal Assent.

**Mode of proof of service**

**3.** Section 17 of the Principal Act is amended by inserting “(other than Part 3a)” after “this Act”.

**Backing of warrant for execution out of the State or part of the Commonwealth in which it was issued**

1. Section 18 of the Principal Act is amended by inserting in subsection (1) “(not being a warrant to which Division 4 of Part 3a applies)” after “apprehension of a person”.
2. After section 19c of the Principal Act, the following Part is inserted:

**“PART 3a—SERVICE AND EXECUTION OF PROCESS OF INVESTIGATIVE TRIBUNALS**

***“Division 1***—***Preliminary***

**Interpretation**

“19d. (1) In this Part, unless the contrary intention appears:

**‘custodian’**,in relation to a person in prison, means the officer in charge of the institution or place at which the person is detained;

**‘evidence that relates to matters of state’** means evidence the adducing of which would:

1. prejudice the security, defence or international relations of Australia; or
2. damage relations between the Commonwealth and a State or relations between 2 or more States; or
3. prejudice the prevention, investigation or prosecution of offences; or
4. prejudice:

(i) the prevention or investigation of; or

(ii) the conduct of proceedings for recovery of civil penalties brought with respect to;

other contraventions of the law; or

(e) disclose, or enable a person to ascertain, the existence or identity of a confidential source of information in relation to the enforcement or administration of a law, whether written or unwritten, of the Commonwealth or of a State; or

(f) prejudice the proper functioning of the government of the Commonwealth or a State; or

(g) be contrary to the public interest for any other reason that could form the basis for a claim in a judicial proceeding that the evidence should not be disclosed;

**‘expenses’**, in relation to a subpoena, or an order for production relating to a subpoena, includes the reasonable costs of:

(a) necessary travel to and from, and accommodation while at, the place where compliance with the subpoena is required; and

(b) finding, collating and producing a document or thing; for the purpose of complying with the subpoena;

**‘facsimile’**, in relation to a document, means a copy of the document that has been reproduced by facsimile telegraphy;

**‘investigative tribunal’** means:

1. a person appointed by the Governor of a State, or by or under a law of a State; or
2. a body established by or under a law of a State;

for the purpose of inquiring into and reporting on any matter, being a person who, or a body that, is authorised by or under a law of the State to take evidence on oath or affirmation, but does not include:

1. a court; or
2. a person exercising a power conferred on the person as judge, magistrate, coroner or officer of a court;

**‘magistrate’** includes a Justice of the Peace who has power, under a law of the State in which the Justice holds office, to issue warrants;

**‘order for production’** means an order made under section 19t;

**‘photocopy’**,in relation to a document, means a copy of the document that has been produced by photocopy reproduction;

**‘prison’** includes a gaol, lock-up or other place of detention;

**‘subpoena’** means a process that requires a person to do one or both of the following:

1. to give oral evidence before a tribunal;
2. to produce a document or thing to a tribunal;

**‘warrant’** means a process that:

(a) is issued by:

(i) a court of a State; or

(ii) a tribunal of a State, or a member of such a tribunal;

under the law of the State; and

(b) authorises the apprehension of a person.

“(2) For the purposes of the definition of ‘investigative tribunal’ in subsection (1), a body is taken to be authorised by or under a law of a State to take evidence on oath or affirmation if a member of the body is so authorised to take evidence on oath or affirmation.

**Copies**

“19e. (1) A reference in this Part to a copy of a document is a reference to a completely legible facsimile or photocopy of the document.

“(2) For the purposes of this Part, a document produced as mentioned in subsection (1) that is identical to a document in all material respects is taken to be a copy of the document.

**Territories regarded as States**

“19f. (1) For the purposes of this Part, each Territory is to be regarded as a State.

“(2) For the purposes of the application of this Part in relation to a Territory, the reference to the Governor of a State in paragraph (a) of the definition of ‘investigative tribunal’ in subsection 19d (1) is a reference to the Administrator of a Territory.

**Crown to be bound**

“19g. This Part binds the Crown in all its capacities.

**Extension to external Territories**

“19h. This Part extends to each external Territory.

**Limitations on power of court to give leave etc.**

“19j. (1) A court must not:

1. give leave under section 19m for a subpoena to be served; or
2. make an order under section 19t in relation to a subpoena; or
3. make an order under section 19x in relation to a warrant; unless it is satisfied as to the matters referred to in subsections (2), (3) and (5).

“(2) The court must be satisfied that:

1. the evidence likely to be given by the person to whom the subpoena is addressed, or to whom the warrant relates; or
2. a document or thing specified or referred to in the subpoena or warrant;

is relevant to the matter that is to be inquired into or reported on by the investigative tribunal concerned.

“(3) Subject to subsection (4), the court must be satisfied that the evidence, document or thing concerned cannot reasonably be obtained from a person in the State in which the subpoena or warrant was issued.

“(4) Subsection (3) does not apply to the giving of evidence by, or the production of a document or thing by, a person in the person’s capacity as an expert.

“(5) If the evidence, document or thing concerned may constitute or contain evidence that relates to matters of state, the court must be satisfied that, having regard to the purpose and subject matter of the function being performed by the investigative tribunal, the public interest in having the evidence, document or thing made available to the tribunal outweighs the public interest in preserving the secrecy or confidentiality of the evidence, document or thing.

**Proof of service**

“19k. When any subpoena, warrant, order for production or notice has been served, under this Part, out of the State in which it was issued, the service may be proved:

(a) by affidavit sworn before:

(i) any Justice of the Peace having jurisdiction in the State or part of the State in which the service was effected; or

(ii) a Commissioner for Affidavits or Declarations; or

(iii) a notary public for that State or part of that State; or

(b) in any way in which the service might have been proved if it had been effected within the State in which the subpoena, warrant, order or notice was issued.

***“Division 2*—*Service of subpoenas generally***

**Application of Division**

“19l. This Division applies to a subpoena that:

1. has been issued by or out of a court or an investigative tribunal; and
2. is addressed to a person:

(i) who is not in prison; or

(ii) who is in prison but who need not attend before the tribunal for the purpose of complying with the subpoena.

**Order for leave**

“19m. (1) The Supreme Court of the State in which a subpoena is issued may, on application, give leave to serve the subpoena outside the State.

“(2) In granting an application, the court:

1. must impose a condition that the subpoena not be served after a specified day; and
2. may impose other conditions.

Note 1: section 19j places conditions on a court’s power to give leave.

Note 2: section 19zf deals with proceedings that may involve questions of matters of state.

**Service of subpoena**

“19n. (1) Subject to subsection (2), where such leave is given, service of the subpoena outside the State concerned may be effected in the same way, and has the same force and effect, as if the service were effected in the State in which the subpoena was issued.

“(2) Service of a subpoena is not effective unless a notice in accordance with Form 1 in the Fifth Schedule is attached to the subpoena.

**Expenses**

“19p. Service of a subpoena is not effective unless, at the time of service or at some other reasonable time before the person to whom the subpoena is addressed is required to comply with it, allowances and travelling expenses or vouchers sufficient to meet the person’s reasonable expenses of complying with the subpoena are paid or tendered to the person.

**Obligation to meet expenses**

“19q. (1) Subject to subsection (3), the amount of the expenses reasonably incurred by a person in complying with a subpoena must be paid by the State in which was appointed or established the investigative tribunal to which the subpoena requires evidence to be given or a document or thing to be produced.

“(2) Subject to subsection (3), the amount of the expenses reasonably incurred by a person is taken to be:

1. where the investigative tribunal is empowered to determine the amount that the person is to be paid for expenses and so determines—the amount so determined; or
2. in any other case—the amount that the person would have been entitled to be paid if the subpoena had been issued by the Supreme Court of the State in connection with proceedings before that court.

“(3) If a law of the State fixes the amount to be paid to the person for expenses, that amount is taken to be the amount of the expenses reasonably incurred.

**Subpoenas not requiring attendance**

“19r. Where a subpoena only requires production of a document or thing:

1. it may be complied with by producing the document or thing, not less than 24 hours prior to the date for compliance, to the person holding the office (however described) of secretary of the investigative tribunal concerned; and
2. if it is complied with in that manner—no attendance at the

tribunal is required by the person to whom the subpoena is addressed on the date for compliance.

**“*Division 3*—*Service of subpoenas addressed to persons in prison***

**Application of Division**

“19s. This Division applies to a subpoena that:

1. has been issued by or out of a court or an investigative tribunal; and
2. is addressed to a person (in this Division called the **‘prisoner’**)who:

(i) is in prison; and

(ii) is required to attend before the tribunal for the purpose of complying with the subpoena.

**Order for production**

“19t. (1) The Supreme Court of the State in which a subpoena is issued may, on application, order that the prisoner be produced at the time and place specified in the subpoena as the time and place at which compliance with the subpoena is required.

“(2) The order:

1. may be made subject to specified conditions; and
2. must be addressed to the custodian from time to time of the prisoner.

Note 1: section 19j places conditions on a court’s power to make an order.

Note 2: section 19zf deals with proceedings that may involve questions of matters of state.

**Service of order for production**

“19u. (1) Subject to any conditions specified under paragraph 19t (2) (a), the order for production and the subpoena to which it relates, or a copy of both the order and the subpoena, must be served on the custodian for the time being of the prisoner, together with a copy, or a further copy, of both the order and the subpoena for service on the prisoner.

“(2) Service of the order and subpoena, or a copy of both the order and the subpoena, on the custodian is not effective unless a notice in accordance with Form 2 in the Fifth Schedule, or a copy of such a notice, is attached to the subpoena and the copy of the subpoena, or to each copy of the subpoena, as the case requires.

“(3) Service of the order for production and subpoena is to be effected in the same way as service of a subpoena in the State in which the subpoena was issued.

“(4) As soon as practicable after receiving the order for production and subpoena, the custodian must serve a copy of the order and a copy of the subpoena on the prisoner.

“(5) Service of the copies on the prisoner is not effective unless a copy of the notice, in accordance with Form 2 in the Fifth Schedule, served on the custodian is attached to the copy of the subpoena.

“(6) Where:

1. the copies are so served; and
2. the prisoner is released from prison at a time sufficiently prior to the date for compliance with the subpoena to make compliance with the subpoena reasonably practicable;

the prisoner:

1. is taken to have been served with the subpoena under section 19n as if leave for its service had been given under section 19m; and
2. subject to paragraph 19v (2) (b), is required to comply with the subpoena.

“(7) Having been served with the order for production, the custodian must comply with it unless the person to whom the subpoena is addressed is released from prison before the time for compliance.

**Expenses**

“19v. (1) Service of an order for production is not effective unless, at the time of service or at some other reasonable time before the date for compliance with the order, there are paid or tendered to the custodian the allowances and travelling expenses or vouchers that would have been required under section 19p to have been paid or tendered to the prisoner, on service of the subpoena to which the order relates, if he or she were not a prisoner.

“(2) If, before the time for compliance with the order for production, the person to whom the order relates is released from prison:

1. the custodian, or a person acting on his or her behalf, must, as soon as practicable, pay or tender to the person the allowances and travelling expenses or vouchers paid or tendered to the custodian under subsection (1); and
2. the person is not required to comply with the subpoena to which the order relates unless the allowances and travelling expenses or vouchers were paid or tendered to the person, by the custodian or another person, no later than a reasonable time after the time when the person ceased to be in prison.

“(3) The amount of expenses reasonably incurred by:

1. the custodian; and
2. any escort of the person arranged by the custodian; and
3. any person who keeps the person in custody under subsection 19w (2), other than a person who so keeps the person in custody in the State in which the order was made;

in connection with compliance with the order must be paid by the State in which the order was made.

**Custody of prisoner etc.**

“19w. (1) The custodian of the prisoner, and any escort of the prisoner arranged by the custodian, have:

1. custody of the prisoner; and
2. power to do such things as are necessary to ensure that the prisoner is:

(i) produced in compliance with the order; and

(ii) afterwards returned to the prison in which the prisoner was in prison.

“(2) Without limiting subsection (1), the custodian or the escort may, in any State, require that a person in charge of a prison in the State:

1. receive the prisoner and keep the prisoner in custody for such time as the custodian or the escort requires; and
2. surrender custody of the prisoner to the custodian or the escort at the time and in the manner that the custodian or the escort requires;

and the person so required must comply with such requirements as are reasonable.

“(3) Subject to any conditions specified in writing by the custodian as conditions to be complied with while the prisoner is outside the State in which he or she was in prison, the provisions of a law in force in the State that relate to the liability of a person who escapes from lawful custody apply to the prisoner while the prisoner is outside the State for the purposes of compliance with the order for production.

“(4) Subsection (3) does not apply to lawful custody in respect of an offence against the law of the Commonwealth.

“(5) If a prisoner in respect of whom an order for production has been made escapes from lawful custody while the prisoner is, for the purpose of complying with the order for production, outside the State in which he or she was in prison, proceedings in relation to the escape must be taken in the State in which the prisoner was in prison.

“(6) A person who is serving a sentence of imprisonment in a State is taken to be serving that sentence while the person is outside the State for the purposes of compliance with an order for production so long as the person remains in the custody of the custodian or escort, or in custody arranged by the custodian or escort.

**“*Division 4*—*Execution of warrants***

**Warrants issued by tribunals**

“19x. (1) This Division applies to a warrant issued by or out of a court or an investigative tribunal only if:

1. the warrant was issued because of non-compliance with subpoena in relation to which leave has been given under section 19m; or
2. the Supreme Court of the State in which the warrant was issued makes an order under subsection (2).

“(2) The Supreme Court of a State may make an order authorising the apprehension of a person named in a warrant (not being a warrant mentioned in paragraph (1) (a)) issued in the State because of non-compliance with a subpoena that was served on a person in the State.

Note 1: section 19j places conditions on a court’s power to give leave.

Note 2: section 19zf deals with proceedings that may involve questions of matters of state.

“(3) An order may be subject to specified conditions.

“(4) Where such an order has been made in relation to a warrant:

1. this Division applies in relation to the warrant subject to the conditions (if any) to which the order is subject; and
2. the requirement under section 19z to produce the warrant or a copy of the warrant is taken to include a requirement to produce a copy of the order.

**Person subject to warrant may be apprehended**

“19y. (1) Subject to this Division, the person named in a warrant issued in a State may be apprehended in another State.

“(2) The person may be apprehended by:

1. an officer of the police force of the State in which the person is found; or
2. the Sheriff of that State, or any of the officers of that Sheriff; or
3. an officer of the police force of the State in which the warrant was issued.

“(3) It is not necessary to produce the warrant when the person is apprehended.

**Procedure after apprehension**

“19z. (1) As soon as practicable after being apprehended, the person is to be taken before a magistrate of the State in which the person was apprehended.

“(2) If the warrant or a copy of the warrant is available, it must be produced to the magistrate.

“(3) If the warrant or a copy of the warrant is not produced, the magistrate may:

1. order that the person be released; or
2. adjourn the proceedings for such reasonable time, not exceeding 7 days, as the magistrate specifies and remand the person on bail or in such custody as the magistrate specifies.

“(4) If the warrant or a copy of the warrant is not produced when the proceeding resumes, the magistrate must order that the person be released.

“(5) Subject to subsections (7) and (8), if the warrant or a copy of the warrant is produced, the magistrate must order:

1. that the person be remanded on bail on condition that the person appear at such time and place in the State in which the warrant was issued as the magistrate specifies; or
2. that the person be taken, in such custody and otherwise as the magistrate specifies, to a specified place in the State in which the warrant was issued.

“(6) The order may be subject to other specified conditions.

“(7) If, on an application by the apprehended person, the magistrate is satisfied that:

1. the warrant is invalid; or
2. it would be manifestly unjust or oppressive to make either of the orders referred to in subsection (5);

the magistrate must order that the person be released.

“(8) If, on an application by the apprehended person, the magistrate is satisfied that it would be manifestly unjust or oppressive for either of the orders mentioned in subsection (5) to be effective immediately, the magistrate must:

1. make an order under subsection (5) and suspend its operation until a specified time; or
2. adjourn the proceeding for a specified time;

and order that the person be remanded on bail, or in such custody as the magistrate specifies, until that time.

“(9) An application may be made at any time to vary an order made under subsection (8).

“(10) When a proceeding resumes following an order made under paragraph (8) (b), the magistrate must:

1. make an order under subsection (5) or (7); or
2. make an order under paragraph (8) (a) and order that the person be remanded on bail, or in such custody as the magistrate specifies, until a specified time; or
3. make a further order under paragraph (8) (b) and order that the

person be remanded on bail, or in such custody as the magistrate specifies, until a specified time.

“(11) An order of a magistrate under this section may be executed according to its tenor.

“(12) For the purposes of a proceeding under this section:

1. the magistrate may adjourn the proceeding and remand the person on bail, or in such custody as the magistrate specifies, for the adjournment; and
2. it is not necessary that a magistrate before whom the proceeding was previously conducted continue to conduct the proceeding.

**Procedure on remand on bail**

“19za. (1) Where a magistrate has made an order under paragraph 19z (5) (a), the magistrate must prepare an instrument setting out the conditions to which the grant of bail is subject.

“(2) The magistrate and the person the subject of the order must each sign the instrument.

“(3) A copy of the instrument must be:

1. given to the person; and
2. furnished to the tribunal before which the person has been remanded to appear.

“(4) If the person:

1. refuses to sign the instrument; or
2. does not comply with a condition to which the grant of bail is subject, being a condition precedent to the person’s release on bail;

the magistrate must revoke the order and make an order under paragraph 19z (5) (b).

**Review**

“19zb. (1) Where an order has been made under section 19z, the apprehended person or a person to whom the warrant was directed may, within 7 days after the making of the order, apply to the Supreme Court of the State in which the order was made for review of the order.

“(2) The respondent is to be:

1. if the application is made by the apprehended person—a person to whom the warrant was directed; or
2. if the application is made by a person to whom the warrant was directed—the apprehended person.

“(3) Service of the notice of application on the respondent is to be effected in the same way as notice of an appeal to the Supreme Court of the State in a criminal proceeding would be effected.

“(4) If, under the order, the apprehended person is remanded on bail, notice of the application is to be served in the same way on any person providing surety for the granting of bail.

“(5) The Supreme Court may, pending its review:

1. stay the execution of the order; and
2. order the person to be remanded on bail or in such custody as the court specifies.

“(6) The review is to be by way of rehearing.

“(7) The Supreme Court may confirm, vary or revoke the order and, if it revokes the order, it may make a new order.

“(8) The order as confirmed or varied, or the new order, may be executed according to its tenor.

“(9) If the order as confirmed or varied, or the new order, is an order that is similar to an order mentioned in paragraph 19z (5) (a):

1. the Supreme Court must cause an instrument of the type referred to in subsection 19za (1) to be prepared; and
2. subject to subsection (10), subsections 19za (2), (3) and (4) apply.

“(10) For the purposes of paragraph (9) (b):

1. a reference in subsection 19za (2) to a magistrate is a reference to the person whom this Supreme Court has caused to prepare« the instrument; and
2. a reference in subsection 19za (4) to a magistrate is a reference to the Supreme Court.

**Custody of person etc.**

“19zc. (1) For the purpose of complying with an order made under paragraph 19z (5) (b), or an order confirmed, varied or made under section 19zb that is similar to an order mentioned in paragraph 19z (5) (b), the person to whom the custody of the apprehended person has been committed may, in any State, require that the person in charge of a prison in the State:

(a) receive the apprehended person and keep the apprehended person in custody for such time as the first-mentioned person requires; and

(b) surrender custody of the apprehended person to the first-mentioned person at the time and in the manner that the first-mentioned person requires;

and the person so required must comply with such requirements as are reasonable.

“(2) The provisions of a law in force in the State in which a warrant was issued that relate to the liability of a person who escapes from

lawful custody apply to a person being taken to the State in compliance with an order referred to in subsection (1).

**Release of persons unnecessarily detained**

“19zd. (1) A person taken in custody, pursuant to an order made, confirmed or varied under this Division, to the State in which a warrant was issued for the purpose of giving evidence or producing a document or thing may apply to the Supreme Court of the State for an order that he or she be released from custody.

“(2) The respondent is to be:

1. if the investigative tribunal that issues the subpoena to which the order relates is a body corporate or an individual—the tribunal; or
2. in any other case—the members of the tribunal.

“(3) Notice of the application must be served on the respondent personally, by post or by facsimile telegraphy.

“(4) If the court is satisfied that it is not necessary for the person to be held in custody in order to secure his or her attendance to give the evidence or produce the document or thing, the court may order that the person be released from custody, and the person is to be released accordingly.

“(5) The court may further order that the person be remanded on bail on condition that he or she appear, at a specified future time or date, before the investigative tribunal to which the evidence is to be given or the document or thing is to be produced.

**Laws applicable to grant of bail etc.**

“19ze. (1) The law of a State with respect to the granting of bail applies in relation to a power under this Division to grant bail to:

1. a person apprehended in that State; or
2. a person who has applied in that State for an order under section 19zd;

as if the person had been apprehended under, or by authority of, a law of that State.

“(2) The law of a State with respect to bail and matters related to bail (including enforcement of bail) applies in relation to a person who has been remanded on bail under this Division under an order made in that State.

“(3) Money received in proceedings for the enforcement of bail may be retained by the State in which the bail condition, the breach of which led to the proceedings being brought, was imposed.

**“*Division 5*—*Miscellaneous***

**Matters of state**

“19zf. (1) This section applies to a proceeding if:

(a) it is a proceeding to determine an application to a court for:

(i) leave under section 1 9m for service of a subpoena; or

(ii) an order under section 19t in relation to a subpoena; or

(iii) an order under section 19x in relation to a warrant concerning a subpoena; and

(b) the court is satisfied that:

(i) the evidence likely to be given by the person to whom the subpoena is addressed; or

(ii) a document or thing specified in the subpoena;

may constitute or contain evidence relating to matters of state.

“(2) In a proceeding to which this section applies, the court must not give leave under section 19m or make an order under section 19t or 19x unless the applicant for leave or for the making of the order has given at least 14 days notice of the proceeding, and the issue of the subpoena, to all of the following persons:

1. the Attorney-General for the Commonwealth;
2. the Attorney-General for the State in which the investigative tribunal is established;
3. the Attorney-General for the State in which is located the person to whom the subpoena is addressed.

“(3) In a proceeding to which this section applies:

1. the Commonwealth; and
2. the State in which the investigative tribunal was established; and
3. the State in which is located the person to whom the subpoena is addressed;

are entitled to intervene.

“(4) A court may direct that a proceeding to which this section applies is to be held in camera.

**Claim of public interest privilege not precluded**

“19zg. A claim by a person in proceedings before an investigative tribunal that certain evidence is subject to public interest privilege is not precluded or affected by:

1. the fact that a court has given leave or made an order under this Part; or
2. the disclosure of any evidence or matter in the course of proceedings for the giving of such leave or the making of such an order.

**Effect on other provisions of this Act**

“19zh. Nothing in this Part affects the interpretation of any provisions of any other Part in this Act.”.

6. The Principal Act is amended by adding at the end the following Schedule:

**“FIFTH SCHEDULE**

FORM 1 Section 19n

COMMONWEALTH OF AUSTRALIA

Service and Execution of Process Act 1901

NOTICE TO WITNESS

YOU SHOULD READ THIS DOCUMENT VERY CAREFULLY

IF YOU HAVE ANY TROUBLE UNDERSTANDING IT YOU SHOULD GET LEGAL ADVICE AS SOON AS POSSIBLE

Attached to this notice is a subpoena issued by the (1)

Leave to serve the subpoena outside (2) has been given by the Supreme

Court of (2) . Service of this subpoena outside (2) is

allowed by the Service and Execution of Process Act 1901.

YOUR OBLIGATIONS

You must obey the subpoena if:

1. you received the subpoena before (3) ; and
2. you have been paid or there has been tendered to you, not later than a reasonable time before the date for compliance with the subpoena, allowances and travelling expenses or vouchers sufficient to meet your reasonable expenses in complying with the subpoena.

Where the subpoena only requires production of a document or thing, no attendance is required by you before the (1) if you produce the document or thing specified in the subpoena to the (4) of the (5) not less than 24 hours prior to (6)

Instructions:

1. insert the name of the tribunal or court of issue.
2. insert the name of the State or Territory of issue.
3. insert the date by which the Supreme Court has required service of the subpoena.
4. insert the title of the office of the chief executive officer of the tribunal.
5. insert the name of the tribunal before which compliance with the subpoena is required.
6. insert the date for compliance with the subpoena.

**NOTE**

1. No. 11, 1901, as amended. For previous amendments see No. 18, 1912; No. 29, 1918; No. 27, 1922; No. 26, 1924; No. 14, 1928; No. 45, 1931; No. 45, 1934; No. 22, 1945; No. 80, 1950; No. 48, 1953; No. 6, 1958; No. 35, 1963; No. 147, 1968; No. 216, 1973 (as amended by No. 20, 1974); No. 96, 1974; Nos. 19 and 155, 1979; No. 70, 1980; No. 92, 1981; and No. 115, 1990.

[*Minister’s second reading speech made in*—

*House of Representatives on 15 May 1991*

*Senate on 4 June 1991*]