



Administrative Services
F.R.L.I.
1996B03868

Statutory Rules 1996 No. *h*

215

Admiralty Rules² (Amendment)

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Rules under the *Admiralty Act 1988*.

Dated *h* 1996.

25 September /

h WILLIAM DEANE /
Governor-General

By His Excellency's Command,

h DARYL WILLIAMS /
Attorney-General and Minister for Justice

1. Amendment

1.1 The Admiralty Rules are amended as set out in these Rules.

[NOTE: These Rules commence on gazettal: see *Acts Interpretation Act 1901*, s. 48.]

2. New rule 5A

2.1 After rule 5, insert:

Service of certain documents and notices

“5A. (1) Subject to subrule (2), this rule applies to the service of documents for the purposes of the Act or these Rules.

“(2) This rule does not apply to the service of:

- (a) initiating process; or
- (b) arrest warrants.

“(3) A document may be served by electronic facsimile message transmitted to a receiving facility installed at the address at which the document would otherwise have been served for the purposes of the Act or these Rules.

“(4) A reference to a document in subrule (3) includes a reference to a document that is to be given to a person to enable the person to exercise a power, or perform a function, for the purposes of the Act or these Rules.”.

3. Rule 41 (Liability for Marshal’s fees and expenses)

3.1 Omit “undertaking:”, substitute “undertaking to the court:”.

4. Rule 48 (Applications concerning arrested property)

4.1 Paragraphs 48 (4) (a) and (b):

Omit “give”, substitute “serve”.

4.2 Subrule 48 (4):

Omit “to such persons”, substitute “on such persons”.

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on

h

1996.

2 October/.

2. Statutory Rules 1988 No. 269 as amended by 1990 No. 392; 1993 No. 327.