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2002B00109



Admiralty Amendment Rules 2002 (No. 1)¹

Statutory Rules 2002 No. 1²

109

I, PETER JOHN HOLLINGWORTH, 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 29 MAY 2002 2002

PETER HOLLINGWORTH
Governor-General

By His Excellency's Command

DARYL WILLIAMS
Attorney-General

1 Name of Rules

These Rules are the *Admiralty Amendment Rules 2002 (No. 1)*. /

2 Commencement

These Rules commence on gazettal.

3 Amendment of Admiralty Rules

Schedule 1 amends the Admiralty Rules.

Schedule 1 Amendments

(rule 3)

[1] Rule 1

substitute

1 Name of Rules

These Rules are the *Admiralty Rules 1988*.

[2] Subrules 43 (1) and (2)

substitute

(1) The execution of an arrest warrant must be undertaken by the Marshal.

(1A) The affidavit in support of the application for the arrest warrant must be served at the same time the arrest warrant is executed.

(2) The arrest warrant must be executed, and the affidavit served, in the same way as initiating process is served.

[3] Schedule, Form 12*omit*

I undertake to pay the fees and expenses of the Marshal in complying with this application.

insert

I undertake to the court to pay the fees and expenses of the Marshal in complying with this application.

Note Paragraph 41 (b) of the Rules provides that if the application is made by a solicitor on behalf of the applicant, the application constitutes an undertaking to the court by the solicitor.

Notes

1. These Rules amend Statutory Rules 1988 No. 269, as amended by 1990 No. 392; 1993 No. 327; 1996 No. 215.
2. Notified in the *Commonwealth of Australia Gazette* on *1* 2002. *5 June*