



## **Royal Commissions Amendment (Service of Documents) Regulations 2018**

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I, the Honourable Paul de Jersey AC, Administrator of the Government of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 06 December 2018

Paul de Jersey AC  
Administrator of the Government of the Commonwealth of Australia

By His Excellency's Command

Stephen Irons  
Assistant Minister to the Prime Minister  
Parliamentary Secretary to the Prime Minister

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## 1 Name

This instrument is the *Royal Commissions Amendment (Service of Documents) Regulations 2018*.

## 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	11 December 2018

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

## 3 Authority

This instrument is made under the *Royal Commissions Act 1902*.

## 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## Schedule 1—Amendments

### *Royal Commissions Regulations 2001*

#### 1 Regulation 6

Repeal the regulation, substitute:

#### 6 Service of notices and summonses

- (1) For the purposes of subsections 2(3A), 2(3C), 3(1), 3(2) and 6AA(3) of the Act, a notice or summons (the **document**) may be served, for the purposes of a Commission, on a person (the **named person**) named in the document in a way set out in this regulation.
- (2) The document may be served on a named person who is an individual by:
  - (a) handing the document to the named person; or
  - (b) if on tender of the document to the named person the person refuses to accept it—putting it down in the person’s presence after the person has been told of the nature of the document.
- (3) The document may be served on a named person which is a corporation by:
  - (a) handing the document to a person (the **served person**) apparently an officer of, or in the service of, the corporation and apparently of or above the age of 16 years:
    - (i) at the registered office of the corporation; or
    - (ii) if there is no registered office, at the principal place of business or the principal office of the corporation; or
  - (b) if on tender of the document to the served person the person refuses to accept it—putting it down in the person’s presence after the person has been told of the nature of the document.
- (4) The document may be served on a named person (whether an individual or a corporation) by handing the document to a legal practitioner who:
  - (a) has authority to accept service of the document on the named person’s behalf; and
  - (b) accepts service of the document on the named person’s behalf.
- (5) The document may be served on a named person (whether an individual or a corporation), or any other person, in a particular way if:
  - (a) the named person has, prior to the preparation of the document, agreed in writing to accept service for the purposes of the Commission in that way; and
  - (b) the agreement is still in force.
- (6) If a member of the Commission has previously served the named person with a notice for the purposes of subsection 2(3A) or (3C) of the Act under any of the ways set out in subregulations (2) to (5), that member (or another member) of the Commission may later serve another notice for those purposes on the person by sending the notice by pre-paid post addressed to the person at:
  - (a) an address provided by the named person to the Commission; or

- (b) the named person's residential or business address last known to the member of the Commission serving the later notice.

## **2 After regulation 9**

Insert:

### **13 Amendments made by the *Royal Commissions Amendment (Service of Documents) Regulations 2018***

The repeal and substitution of regulation 6 (service of notices and summonses) of these Regulations by the *Royal Commissions Amendment (Service of Documents) Regulations 2018* applies in relation to:

- (a) the Royal Commission into Aged Care Quality and Safety established by Letters Patent dated 8 October 2018; and
- (b) a Royal Commission established on or after the day on which the *Royal Commissions Amendment (Service of Documents) Regulations 2018* commenced.