



Public Works Committee Regulations 1969

Statutory Rules 1969 No. 182 as amended

made under the

Public Works Committee Act 1969

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1 Name of regulations [see Note 1]

These regulations are the *Public Works Committee Regulations 1969*.

2 Interpretation

- (1) In these Regulations:

the Act means the *Public Works Committee Act 1969*.

Sectional Committee means a Sectional Committee referred to in section 10 of the Act.

- (2) In these Regulations, a reference to a form by number is a reference to the form so numbered in the Schedule 1.

2A Specified works (Act s 5)

For paragraph (f) of the definition of **work** in section 5 of the Act, the following are declared:

- (a) a temporary building or structure;
- (b) a demountable building or structure.

3 Forms of oath and affirmation

- (1) An oath under section 20 of the Act may be in accordance with Form 1.
- (2) An affirmation under section 20 of the Act may be in accordance with Form 2.

4 Form of summons

A summons to a witness under section 21 of the Act may be in accordance with Form 3.

5 Form of warrant

A warrant for the apprehension of a witness under section 22 of the Act may be in accordance with Form 4.

6 Witnesses' fees and expenses

- (1) A witness appearing before the Committee shall be paid such fees and travelling expenses as the Chairman allows in accordance with the scale in the Schedule 2.

7 Assessors' fees and expenses

An assessor attending a meeting of the Committee in his capacity as an assessor shall be paid such fees and travelling expenses in respect of that attendance as would be payable under regulation 6 if that attendance were an appearance before the Committee by a witness to give evidence because of his professional, scientific or other special skill or knowledge.

10 Sectional Committees

These Regulations, other than the next succeeding regulation, apply in relation to a Sectional Committee in like manner as they apply in relation to the Committee and, for the purpose of these Regulations as so applying:

- (a) a reference to the Committee shall be read as a reference to a Sectional Committee; and
- (b) a reference to the Chairman shall be read as a reference to the Chairman of a Sectional Committee.

11 Provisions to prevent double payments

- (1) Where a witness or an assessor would, but for this subregulation, be entitled to be paid under these Regulations:
- (a) fees and expenses in respect of his appearance before, or his attendance at, a meeting of the Committee on a particular day; and
 - (b) fees and expenses in respect of his appearance before, or his attendance at, a meeting of a Sectional Committee on that day;

he shall be paid the fees and expenses referred to in paragraph (a) or (b) of this subregulation, whichever are the greater, but he shall not be paid the fees and expenses referred to in paragraph (a), and the fees and expenses referred to in paragraph (b), of this subregulation.

- (4) Where, in respect of travel on a particular journey, a person would, but for this subregulation, be entitled, under these Regulations to be paid expenses in respect of his conveyance in respect of attendance at a meeting of the Committee and in respect of attendance at a meeting of a Sectional Committee, he shall be paid the expenses in respect of his conveyance to attend the meeting of the Committee, or the expenses in respect of his conveyance to attend the meeting of the Sectional Committee whichever are the greater, but he shall not be paid any other expenses in respect of conveyance in connexion with travel on that journey.

12 Non-application of Act to certain authorities

It is hereby declared that the Act does not apply to an authority of the Commonwealth that is specified in Schedule 3.

The Schedules

Schedule 1 Forms

Form 1

(regulation 3 (1))

OATH OF WITNESS

The evidence I shall give on this examination shall be the truth, the whole truth and nothing but the truth.

SO HELP ME GOD!

Form 2

(regulation 3 (2))

AFFIRMATION OF WITNESS

I do solemnly and sincerely affirm and declare that the evidence I shall give on this examination shall be the truth, the whole truth and nothing but the truth.

Form 3

(regulation 4)

COMMONWEALTH OF AUSTRALIA

Public Works Committee Act 1969

SUMMONS TO A WITNESS

To *(here insert name, address and occupation of witness)*.

You are hereby summoned to appear before the Parliamentary Standing Committee on Public Works (*or* a Sectional Committee of the Parliamentary Standing Committee on Public Works) on the day of , 19 , at o'clock in the noon, at , then and there to give evidence and to produce (*here specify the documents required to be produced*); and you are required, unless excused or released by a member of the Committee (*or* Sectional Committee) from continuing in attendance, to continue in attendance as directed by the Committee (*or* Sectional Committee) or the Chairman of the Committee (*or* Sectional Committee).

Dated this day of , 19 .

(Chairman)

Form 4

(regulation 5)

COMMONWEALTH OF AUSTRALIA

Public Works Committee Act 1969

WARRANT FOR THE APPREHENSION OF A WITNESS

WHEREAS (*here insert name, address and occupation of witness*) has been summoned to appear before the Parliamentary Standing Committee on Public Works (*or* a Sectional Committee of the Parliamentary Standing Committee on Public Works) but has failed to appear (*or* to continue in attendance) as required by the summons:

These are therefore to command and authorize you forthwith to apprehend the said (*here insert name of witness*) and to bring him before the Committee (*or* the Sectional Committee) to give evidence and to detain him in custody for that purpose until he is released by order of the Chairman, or a member, of the Committee (*or* Sectional Committee).

Given at this day of , 19 .

(Chairman)

To (*here insert description of persons to whom the warrant is addressed*).

Schedule 2 Witnesses' fees and travelling expenses

(regulation 6)

1. A witness appearing before the Committee to give evidence because of his professional, scientific or other special skill or knowledge shall be paid a fee of an amount not less than the lower amount specified in the High Court Rules in relation to expenses of witnesses possessing such skill or knowledge and not more than the higher amount so specified.
2. A witness, other than a witness referred to in Item 1 of this Schedule, appearing before the Committee to give evidence shall be paid:
 - (a) in the case of a witness remunerated by wages, salary or fees — a fee of the amount specified, and as delimited, in the High Court Rules in relation to expenses of witnesses so remunerated; or
 - (b) in any other case — a fee of the amount specified in the High Court Rules in relation to expenses of witnesses generally.
3. A witness appearing before the Committee to give expert evidence shall be paid, in addition to any other fee payable to him under Item 1 or 2 of this Schedule, a reasonable amount for qualifying to give that evidence.
4. A witness appearing before the Committee to give evidence shall be paid a reasonable amount:
 - (a) in respect of his conveyance to and from the place at which he so attends; and
 - (b) if he is required to be absent overnight from his usual place of residence for meals and accommodation.

Schedule 3 Authorities of the Commonwealth to which the Act does not apply

(regulation 12)

Item	Authority of the Commonwealth
1	AeroSpace Technologies of Australia Pty Ltd
2	ASC Pty Ltd, including: (a) each of its wholly owned subsidiaries; and (b) any wholly owned subsidiaries of the subsidiaries mentioned in paragraph (a)
3	AUSSAT Pty Ltd
4	Australian Canned Fruits Corporation
5	Australian Dairy Corporation
6	Australian Defence Industries Ltd
7	Australian Dried Fruits Corporation
8	Australian Honey Board
9	Australian Horticultural Corporation
10	Australian Industry Development Corporation
11	Australian Meat and Live-stock Corporation
12	Australian National Railways Commission
13	Australian Overseas Projects Corporation
14	Australian Postal Commission
15	Australian Shipping Commission
16	Australian Telecommunications Commission
17	Australian Tobacco Marketing Advisory Committee
18	Australian Wheat Board Limited
19	Australian Wine and Brandy Corporation
20	Australian Wool Corporation

21	Bankstown Airport Limited
22	Camden Airport Limited
23	Commonwealth Banking Corporation
24	Essendon Airport Limited
25A	Export Finance and Insurance Corporation
26AA	Hoxton Park Airport Limited
27	Overseas Telecommunications Commission (Australia)
28	Pipeline Authority
29	Sydney Airports Corporation Limited

Table of Instruments**Notes to the *Public Works Committee Regulations 1969*****Note 1**

The *Public Works Committee Regulations 1969* (in force under the *Public Works Committee Act 1969*) as shown in this compilation comprise Statutory Rules 1969 No. 182 amended as indicated in the Tables below.

Under the *Legislative Instruments Act 2003*, which came into force on 1 January 2005, it is a requirement for all non-exempt legislative instruments to be registered on the Federal Register of Legislative Instruments. From 1 January 2005 the Statutory Rules series ceased to exist and was replaced with Select Legislative Instruments (SLI series). Numbering conventions remain the same, ie Year and Number.

Table of Instruments

Year and number	Date of notification in Gazette or FRLI registration	Date of commencement	Application, saving or transitional provisions
1969 No. 182	20 Nov 1969	20 Nov 1969	
1972 No. 70	18 May 1972	18 May 1972	R. 2
1976 No. 218	6 Oct 1976	6 Oct 1976	—
1979 No. 123	5 July 1979	5 July 1979	—
1981 No. 241	28 Aug 1981	28 Aug 1981	—
1982 No. 89	30 Apr 1982	30 Apr 1982	—
1982 No. 196	20 Aug 1982	20 Aug 1982	—
1986 No. 82	24 Apr 1986	24 Apr 1986	—
1988 No. 124	24 June 1988	24 June 1988	—
1988 No. 211	26 Aug 1988	26 Aug 1988	—
1988 No. 312	2 Dec 1988	2 Dec 1988	—
1992 No. 108	28 Apr 1992	28 Apr 1992	—
1992 No. 134	9 June 1992	9 June 1992	—
1993 No. 57	4 May 1993	10 Mar 1993 (see r. 1.1 and <i>Gazette</i> 1993, No. GN17)	R. 2
1994 No. 175	16 June 1994	3 June 1994	Rr. 1.2 and 1.3
1998 No. 310	19 Nov 1998	19 Nov 1998	—
2004 No. 178	1 July 2004	1 July 2004	—

Table of Instruments

Year and number	Date of notification in <i>Gazette</i> or FRLI registration	Date of commencement	Application, saving or transitional provisions
2005 No. 207 (a)	19 Sept 2005 (see F2005L02673)	1 Oct 2005 (see r. 2)	—
2007 No. 113	11 May 2007 (see F2007L01315)	12 May 2007	—

Table of Amendments**Table of Amendments**

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
R. 1	rs. 1998 No. 310
R. 2	am. 1986 No. 82
R. 2A.....	ad. 2004 No. 178
R. 6	am. 1986 No. 82
R. 7	am. 1979 No. 123 rs. 1981 No. 241
R. 8	rep. 1979 No. 123
R. 9	am. 1972 No. 70 rep. 1979 No. 123
R. 11	am. 1979 No. 123
R. 12	ad. 1982 No. 89 am. 1982 No. 196 rs. 1986 No. 82
Heading to First Schedule	rep. 1986 No. 82
Schedule 1	
Heading to Schedule 1.....	ad. 1986 No. 82
Form 1	1969 No. 182
Form 2	1969 No. 182
Form 3	1969 No. 182
Form 4	1969 No. 182
Heading to Second Schedule	rep. 1986 No. 82
Schedule 2	
Heading to Schedule 2.....	ad. 1986 No. 82
Second Schedule.....	rs. 1976 No. 218 am. 1981 No. 241
Schedule 3	
Schedule 3	ad. 1986 No. 82 am. 1988 Nos. 124, 211 and 312; 1992 Nos. 108 and 134; 1993 No. 57; 1994 No. 175; 1998 No. 310; 2005 No. 207; 2007 No. 113