

Amending Regulations relative to the Conduct of Legal Business of the Crown.

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 4th day of March, 1936.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the power and authority conferred on him by the Public Revenues Act, 1926, and the Justices of the Peace Act, 1927, and of all other powers and authorities him in this behalf in anywise enabling, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby make the regulations hereinafter set out.

REGULATIONS.

1. These regulations may be referred to as the Crown Legal Business Regulations, 1932, Amendment No. 2.

2. These regulations shall be read together with and be deemed to form part of the Crown Legal Business Regulations, 1932 (hereinafter called "the principal regulations").

3. These regulations shall take effect on the day following the date of publication hereof in the *Gazette*.

4. Part III of the principal regulations (relating to civil proceedings) is amended by inserting following Regulation 63 thereof the following additional regulation:—

63A. The following shall be the scale of costs allowed to solicitors and counsel in respect of proceedings under the Mortgagors and Tenants Relief Act, 1933, and its amendments, including the Rural Mortgagors Final Adjustment Act, 1934-35:—

(i) For negotiating and completing an adjustment effected without reference to an Adjustment Commission:—

	£	s.	d.
Regular fee	2	2	0
Special fee up to	7	7	0

(ii) For negotiating and completing an adjustment referred to the Adjustment Commission without requiring confirmation by the Court:—

	£	s.	d.
Regular fee	3	3	0
Special fee up to	7	7	0

(iii) For an application for adjustment negotiated and completed or dismissed upon reference to the Adjustment Commission and subsequent consideration by the Supreme Court or Court of Review:—

	£	s.	d.
Regular fee	5	5	0
Special fee up to	15	15	0

(iv) For an application for adjustment negotiated and completed or dismissed upon reference to the Adjustment Commission and subsequent consideration by a Magistrate:—

	£	s.	d.
Regular fee	3	3	0
Special fee up to	6	6	0

(v) For two transactions where the issues are interconnected as for properties in the same Crown settlement or belonging to members of one family, or where the decision in one case serves substantially as a basis of decision in the other case:—

On one of the transactions the regular fee hereinafter prescribed.

On the other transaction one-half of the regular fee.

In either transaction a special fee may be allowed, but the allowance of a special fee in one transaction will not necessarily justify an allowance of a special fee in the other transaction.

(vi) Upon an application for relief refused by a Magistrate without reference to an Adjustment Commission or by an Adjustment Commission upon reference from a Magistrate, £2 2s.

(vii) Upon an application for relief refused by the Supreme Court or Court of Review without reference to an Adjustment Commission, or by an Adjustment Commission upon reference from the Supreme Court or Court of Review, £3 3s.

(viii) Upon an application to an Adjustment Commission for a stay order following negotiations out of Court:—

	£	s.	d.
Regular fee	4	4	0
Special fee up to	8	8	0

(ix) Upon an appeal to the Court of Review (in addition to costs before the tribunal appealed from), or upon any proceedings in the Court of Review not otherwise provided for:—

	£	s.	d.
Regular fee	3	3	0
Special fee up to	7	7	0

(x) For three or more transactions where the issues are interconnected as above, twice the regular fee for a single transaction:

Provided that in connection with one of such transactions a special fee may in a proper case be allowed.

(xi) The regular fee shall be the fee normally allowable. In a transaction where negotiations are prolonged or elaborate documents are prepared, or where the matter is attended with special difficulty or complexity, a special fee may be allowed (in lieu of and not in addition to the regular fee) up to the respective maximum set out above.

(xii) In any case where party-and-party costs allowed by the Court exceed the scale fee herein prescribed, such party-and-party costs shall be substituted for the said scale fee.

C. A. JEFFERY,
Clerk of the Executive Council.

Prescribing Rates of Fees and Allowances under the Payment of Jurors Act, 1919.

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 4th day of March, 1936.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers vested in him by section two of the Payment of Jurors Act, 1919, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council, doth hereby revoke the Order in Council dated the seventeenth day of October, one thousand nine hundred and thirty-two, and published in the *Gazette* of the twentieth day of October, one thousand nine hundred and thirty-two, prescribing the rates of fees and allowances to be payable to jurors in accordance with the provisions of the said Act; and in lieu thereof doth hereby prescribe, as set forth in the Schedule hereto, the rates of fees and allowances to be payable to jurors for their attendance at any sittings of the Supreme Court, and to every person who attends as a juror at any inquest held before a Coroner; and doth hereby declare that this Order in Council shall come into force on the first day of April, one thousand nine hundred and thirty-six.

SCHEDULE.

RATES OF FEES.

COMMON jurors attending any civil or criminal sitting, or any juror attending a Coroner's inquest—

For attendance for a period exceeding three hours £ s. d.
on any one day 0 10 6

For attendance for a period not exceeding three hours on any one day 0 5 0

Special jurors: For every day's attendance or part of a day's attendance and actually serving as such—

For the first day 1 0 0

For each day thereafter 0 10 0

EXPENSES OF LOCOMOTION.

In addition to the fees prescribed, jurors residing beyond three miles from the Courthouse, or, in the case of an inquest, from the Courthouse or other place at which the inquest is held, shall receive a refund of the actual expenses of locomotion in attending such sittings or inquest, to include railway, coach, or steamer fares. Receipts must be furnished for fares over 5s. other than railway fares. When there is no public conveyance, such jurors shall be allowed a mileage rate of 9d. per mile one way.

C. A. JEFFERY,
Clerk of the Executive Council.