

# STATUTORY RULES.

1953. No. .

## RULES UNDER THE BANKRUPTCY ACT 1924-1950.\*

I, THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Rules under the *Bankruptcy Act 1924-1950*.

Dated this

Third

day of

July

, 1953.

(Sgd) W. J. Blain  
Governor-General.

By His Excellency's Command,

(SGD.) J. A. SPICER

Attorney-General.

## AMENDMENTS OF THE BANKRUPTCY RULES.†

1. These Rules shall come into operation on the tenth day of August, Commencement. 1953.

2.—(1.) The amendments effected by these Rules apply to, and in relation to, all acts and work done and services performed in, or for the purposes of, any proceedings under the Act after the date specified in the last preceding rule, whether the proceedings were commenced before, or are commenced after, that date. Application of amendments.

(2.) Where, before the date specified in the last preceding rule, a percentage under item 13 in Table A of the Third Schedule, or a fee under Table 2 of the Sixth Schedule, to the Bankruptcy Rules as in force immediately before that date has become due and payable, but has not been paid before that date, that item and that table continue to apply to, and in relation to, the amount on which that percentage or fee was calculated.

(3.) The amount on which a percentage under item 13 in Table A of the Third Schedule to the Bankruptcy Rules as in force immediately before the date specified in the last preceding rule or the amount on which a fee under Table A of the Sixth Schedule to those Rules has been calculated shall be taken into account in calculating the rate of a percentage under item 13 in Table A of the Third Schedule to the Bankruptcy Rules as amended by these Rules or the amount of a fee under item 5 in the Table B of that Schedule, but a percentage or fee is not payable under those last mentioned items on the amount so taken into account.

\* Notified in the *Commonwealth Gazette* on , 1953.

† Statutory Rules 1934, No. 77, as amended by Statutory Rules 1935, Nos. 34 and 122; 1936, No. 101; 1937, No. 111; 1939, No. 41; 1940, No. 212; 1941, Nos. 12 and 55; 1942, No. 6; and 1949, No. 100.

**3.** Rule 3 of the Bankruptcy Rules is amended by omitting the **Parts** words—

“*Division 2.—Official Receivers* rr. 386-410.”

and inserting in their stead the words—

“*Division 2.—Official Receivers* rr. 386A-410.”

**4.** Rule 66 of the Bankruptcy Rules is repealed and the following rule inserted in its stead:—

“66.—(1.) Subject to this Division, the fees and percentages Fees and percentages. specified in the Third Schedule to these Rules shall be charged and payable in respect of the respective matters to which they relate.

“(2.) Where one administration, as defined by section 88A of the Act, is followed by a subsequent administration, as so defined, of the same estate, the amount realized or brought to credit by the trustee in the subsequent administration shall not, for the purpose of ascertaining the percentage payable on the subsequent administration under item 13 in Table A of the Third Schedule to these Rules, include the amount on which the percentage has been or is to be computed under that item in the prior administration.

“(3.) Where—

(a) an application is made to the Court or to a Registrar by an Official Receiver, not being an application made by an Official Receiver as trustee of an estate;

(b) an application is made to the Court by a trustee for the committal of a bankrupt for contempt of Court;

(c) an application is made to the Court for an order for the payment of money out of The Bankruptcy Estates Account; or

(d) an application is made to the Court for leave to destroy or otherwise dispose of a debtor's or bankrupt's books of account or other papers,

a fee is not payable on the application, on an affidavit or a document filed in support of the application or on an order made in respect of the application.

“(4.) The officer of the Court who receives a document upon which a prescribed fee is payable shall, immediately upon the receipt of the document and the prescribed fee, mark in the margin of the document the amount of the fee and the date of the filing of the document.”.

**5.** Rule 70 of the Bankruptcy Rules is amended by adding at the Service of subpoena. end thereof the following sub-rule:—

“(2.) The person who serves a subpoena or summons on a witness shall tender to the witness such sum as conduct money as is sufficient to defray the expenses of the witness in travelling from his place of residence to the place at which he is required to attend and from the place of attendance to his place of residence.”.

**6.** Rule 79 of the Bankruptcy Rules is repealed and the following rule inserted in its stead:—

“79.—(1.) A witness who attends to give evidence, whether or not Witnesses expenses. in accordance with the terms of a subpoena or summons served under this Division, is entitled to payment of expenses in accordance with the scale contained in the Seventh Schedule to these Rules.

“(2.) The Court may, on the application of a witness, fix the amount of expenses to be paid to the witness by the party on whose application the witness is examined.”.

7. Rule 120 of the Bankruptcy Rules is repealed and the following rule inserted in its stead:—

“120. The costs to be allowed to solicitors shall, subject to these Rules, be in accordance with the scale of costs contained in the Second Schedule to these Rules.”. Solicitors' costs.

8. After rule 120 of the Bankruptcy Rules the following rules are inserted:—

“120A.—(1.) A bill of costs shall be written lengthwise on one side of the paper only with the margin left clear for taxation. Preparation of bills of costs.

“(2.) Each item in a bill of costs shall be dated and disbursements and charges other than disbursements shall be entered in separate columns.

“120B.—(1.) For the purposes of these Rules, a folio comprises Folios. seventy-two words, and five figures shall be deemed to be one word.

“(2.) Where, in the opinion of the Taxing Officer, figures could have been used instead of words, the words shall be reckoned as figures.

“120C.—(1.) Where an amount specified for drawing a document is allowed, no amount shall be allowed for the copy made for the use of the solicitor or agent or for counsel to settle. Charges for drawing and perusing documents.

“(2.) The Taxing Officer shall not allow to a solicitor an amount for drawing a document drawn by counsel, but the Taxing Officer shall allow such amount for drawing instructions to counsel to draw the document as he considers reasonable.

“(3.) In making allowances for drawing or perusal, the Taxing Officer shall not allow any folios which, in his opinion, are a repetition or adaptation of matter for the drawing or perusing of which allowance has otherwise been made in the same matter or proceeding.

“(4.) The Taxing Officer shall not allow an amount for the drawing, revision or settling of printed forms or documents, unless the Taxing Officer is of the opinion that some allowance should be made and, in that case, he may allow a sum which he considers to be reasonable.

“(5.) The Taxing Officer shall not allow an amount for instructions for an affidavit where the solicitor or his clerk makes the affidavit.

“(6.) The allowance for instructions and drawing an affidavit or any other document includes all attendances to settle, read over, sign, and, where necessary, swear the affidavit or document.

“(7.) The Taxing Officer shall not allow an amount for perusal of letters, notices or summons received by a solicitor, unless the Taxing Officer is of the opinion that some allowance should be made and, in that case, he may allow a sum which he considers to be reasonable.

“(8.) The Taxing Officer shall not allow an amount for the perusal of a document with the contents of which the solicitor is already familiar, unless the Taxing Officer is of opinion that some allowance should be made and, in that case, he may allow a sum which he considers to be reasonable.

“(9.) The fees allowed for delivery or service of documents and for perusals shall not be allowed when the same solicitor acts for

both or all the parties, unless the Taxing Officer is of the opinion that some allowance should be made, in which case he may allow a sum which he considers to be reasonable.

“120D.—(1.) The Taxing Officer may allow the petitioning creditor's solicitor all proper charges for all work necessarily done in the interests of the creditors between the presentation of the petition and the date of the sequestration order, if the Official Receiver certifies that the work done was necessary in the interests of the creditors. Certificate of Official Receiver required in certain cases.

“(2.) Where, after a sequestration order is made, a solicitor—

(a) attends the Official Receiver to give him necessary information relating to the debtor's estate; or

(b) attends a meeting of creditors in the interests of creditors, the Taxing Officer may allow all proper charges for the attendance if the Official Receiver certifies that the attendance was necessary in the interests of the creditors.

“120E. The Taxing Officer may allow such amounts for conveyancing work as he considers reasonable and, in determining the amount, shall have regard to the scale of solicitors' costs in force in respect of conveyancing matters in the State or Territory in which the bill of costs is taxed, or, if there is no such scale, shall have regard to the scale of solicitors' costs applied by the Taxing Officer of the Supreme Court of that State or Territory in respect of conveyancing matters. Conveyancing costs.

“120F.—(1.) The Taxing Officer shall allow all court fees and other disbursements which, in his opinion, have been properly paid. Disbursements.

“(2.) Payment of court fees and disbursements shall be proved to the satisfaction of the Taxing Officer by the production of vouchers or otherwise.

“120G.—(1.) The Taxing Officer shall not, except as against the party who incurred them, allow fees, disbursements or charges which, in his opinion, were incurred or increased— Unnecessary costs.

(a) through over-caution, negligence or mistake;

(b) by payment of special fees to counsel, or special charges or expenses to witnesses or other persons; or

(c) by other unusual expenses.

“(2.) Where the same solicitor is employed for two or more persons having the same interest, and separate papers are delivered, or other proceedings had by or for two or more of those persons separately, the Taxing Officer shall, if he is of opinion, on the taxation of the bill of costs of that solicitor, either between party and party, or between solicitor and client, that the separate papers or other proceedings were not necessary or proper, disallow so much of the costs which he considers has been unnecessarily or improperly incurred.

“(3.) Where, in the opinion of the Taxing Officer, two or more documents which were not served at the same time should have been so served, the Taxing Officer shall allow only one fee for the service of those documents.

“120H.—(1.) The Taxing Officer may allow such amounts in respect of fees paid to counsel as he considers reasonable in the circumstances. Counsels' fees.

“(2.) The Taxing Officer may allow amounts paid to counsel in respect of clerks' fees in accordance with the scale of fees applicable in the State or Territory in which the bill of costs is taxed.

**“120j.** Where a barrister and solicitor acts both as counsel and solicitor or appears as counsel instructed by his partner acting as solicitor, the Taxing Officer shall not allow any amount for ‘instructions for brief’, for ‘drawing brief’ or ‘engrossing brief’, but may allow such amount for ‘preparing for hearing or examination’ and for ‘preparing brief notes’ as he considers reasonable in the circumstances. Fees to barristers and solicitors.

**“120k.—(1.)** Where the Taxing Officer considers that the amount of costs specified in relation to an item in the Second Schedule to these Rules (other than item 15, 18, 19, 21, 22, 23, 24, 26, 30, 35, 36, 38, 39, 41, 42, 43, 45, 46, 47, 49 or 50 in that Schedule) is, in the circumstances of any particular case, inadequate having regard to the work performed, the Taxing Officer may allow such greater sums as he thinks reasonable. Discretionary costs.

**“(2.)** The Taxing Officer may allow such amount as he considers reasonable, having regard to the circumstances of a particular case, for work properly performed and not specifically provided for by these Rules, but in respect of which, in the opinion of the Taxing Officer, an allowance should be made.

**“(3.)** Where the Taxing Officer considers that it was necessary for a solicitor to leave the place where he resides or carries on business and journey to another place, the Taxing Officer may allow such sum as he considers reasonable for expenses incurred in travelling and for accommodation and such sum for each day (other than a Sunday) on which the solicitor is necessarily absent from his business as he considers reasonable.

**“120L.—(1.)** Where a fee or amount may be allowed by the Taxing Officer, the fee or allowance shall, unless otherwise provided, be allowed at the discretion of the Taxing Officer. Taxing Officer's discretion.

**(2.)** The Taxing Officer, in the exercise of his discretion, shall take into consideration—

- (a) the other costs, fees or allowances to the solicitor or counsel in respect of work to which those costs, fees or allowances apply;
- (b) the nature and importance of the matter;
- (c) the amount involved;
- (d) the interest of the parties;
- (e) the estate or persons to bear the costs;
- (f) the general conduct and costs of the proceedings; and
- (g) all other relevant circumstances.”.

**9.** Rule 121A of the Bankruptcy Rules is repealed.

**10.** After rule 126 of the Bankruptcy Rules the following rule is inserted:—

**“126A.** The Taxing Officer shall allow such amounts as he considers reasonable for all attendances, services and executions by sheriffs, bailiffs and their officers, and, in determining those amounts, shall have regard to the fees payable for attendances, services and executions under the rules of the court of which those persons are officers.”. Increase in scale of solicitors' costs.

**11.** After rule 128 of the Bankruptcy Rules, the following rule is inserted:—

**“128A.** The Taxing Officer shall, in taxing the bills and charges of accountants, auctioneers, agents, managers and other persons, not being Fees for sheriffs, bailiffs and their officers.

trustees or persons exclusively employed by trustees, allow such amounts as he considers reasonable for all work and services performed by those persons, and, in determining those amounts, shall have regard to the scale of fees and charges, applicable in the State or place where the work or services are performed, approved by an institute or association for that work or those services.”.

12. Rule 135 of the Bankruptcy Rules is amended by omitting from paragraph (b) the words “the Scale of Official Fees and Percentages in”.

Priority of costs and charges payable out of estates.

13. Rule 386 of the Bankruptcy Rules is repealed.

Fees payable to unsalaried official receivers.

14. Rule 433 of the Bankruptcy Rules is repealed and the following rule inserted in its stead:—

“433.—(1.) The prescribed limits for the purposes of sub-section (1.) of section 133 of the Act are those set out in the Sixth Schedule to these Rules.

Limits of trustee's commission.

“(2.) The prescribed rate for the purposes of sub-section (4.) of section 133 of the Act is five per centum of the amount of the book debts collected by the trustee, not being amounts collected by a paid agent of the trustee.”.

15. The Second and Third Schedules to the Bankruptcy Rules are repealed and the following Schedules inserted in their stead:—

The Schedules.

#### THE SECOND SCHEDULE.

Rule 120.

#### SCALE OF SOLICITORS' COSTS.

Item No.	Matters in Connexion with which Costs are Payable.	Amount.
		£ s. d.
<i>Instructions.</i>		
1	For creditor's petition including affidavit by petitioning creditor	2 2 0
2	For debtor's petition .. .. .	1 1 0
3	To call a meeting of creditors under Part XI. of the Act ..	1 1 0
4	For a deed of assignment, a composition or a scheme of arrangement under Part XI. of the Act .. .. .	1 1 0
5	For a deed of arrangement under Part XII. of the Act ..	1 1 0
6	To make or oppose any application before the Court ..	1 1 0
7	To oppose a creditor's petition .. .. .	1 1 0
8	To make or oppose any application to a Judge in Chambers ..	0 12 0
9	To make or oppose any application before a Registrar exercising the power of the Court .. .. .	0 12 0
10	For special affidavit .. .. .	0 12 0
11	For case for opinion of Counsel .. .. .	1 0 0
12	For brief for counsel to make an application to a Judge in Chambers when no charge is made for drawing brief ..	0 16 0
13	For brief for counsel on hearing of application in Court or for an examination .. .. .	2 2 0
14	For brief for counsel on hearing of petition .. .. .	1 1 0
15	For declaration of inability to pay .. .. .	0 12 0
16	For statement of affairs under either a debtor's petition or a creditor's petition including the affidavit—	
	Where the assets are sworn not to exceed £300 .. ..	4 4 0
	Where the assets are sworn to exceed £300 .. ..	5 5 0
17	For statement of assets and liabilities for submission to a meeting of creditors when considering the acceptance of a composition, scheme or deed under Part XI. of the Act .. .. .	3 3 0
18	For any necessary notice not otherwise provided for .. ..	0 8 0

## THE SECOND SCHEDULE—continued.

Item No.	Matters in Connexion with which Costs are Payable.	Amount.
		£ s. d.
<i>Drawing, Engrossing and Copying.</i>		
19	Drawing any necessary document, or part of any document (other than a document included in item 20), per folio ..	0 2 0
20	Drawing statements of affairs under a sequestration order or order for administration or schedules to deeds or compositions or schemes under Part XI. or Part XII. of the Act ..	1 1 0
21	Engrossing any necessary document, part of the document or summary of a document, per folio ..	0 0 9
22	Carbon or machine made copies, or any copies that could have been but were not made when the original was made, per folio ..	0 0 3
23	Marking each sheet of an affidavit and each annexure or exhibit ..	0 1 0
<i>Perusals.</i>		
24	Of affidavits, petitions, notices of motion, notices to produce or admit, case for the opinion of the Court, applications for directions, statements of facts, counsel's opinion, advice on evidence, per folio ..	0 1 6
25	Of depositions, reports, exhibits, accounts or other documents, per folio ..	0 0 9
26	Of a bill of costs with a view to opposing the same on taxation, per folio ..	0 0 6
27	Of printed forms or deeds, at the discretion of the Taxing Officer—not to exceed per folio ..	0 1 0
<i>Service.</i>		
28	Personal service by a solicitor or his clerk of any proceeding ..	0 16 0
29	Service on solicitor for a party ..	0 8 0
30	Service by post ..	0 8 0
<i>Attendances.</i>		
31	On counsel—	
	(a) with brief or other papers, or to appoint consultation or conference or to mark refresher ..	0 8 0
	(b) On consultation or conference with counsel up to half an hour ..	1 0 0
	(c) On consultation or conference with counsel from half an hour to one hour ..	1 15 0
	(d) On consultation or conference with counsel over one hour—	
	For the first hour ..	1 15 0
	Per hour or part of an hour after the first hour ..	1 0 0
32	In Chambers, when counsel not employed—	
	For the first hour or part of an hour ..	1 10 0
	For each hour or part of an hour after the first ..	1 5 0
33	In Chambers, when counsel employed for each hour or part of an hour ..	1 0 0
34	In Court, when counsel employed—	
	For the first hour or part of hour ..	1 10 0
	For each hour or part of hour after the first hour ..	1 5 0
	But not to exceed, per day ..	8 8 0
	(If principal does not give substantial attendance, the allowance shall not exceed one half the allowances specified) ..	
35	In Court, when counsel not employed—	
	Not to exceed, for the first hour or part of hour ..	3 0 0
	For each hour or part of hour after the first ..	2 0 0
	But not to exceed per day ..	15 15 0
36	To hear reserved judgment, not to exceed, if counsel employed or, if principal does not give substantial attendance ..	1 10 0
	or, if counsel not employed, not to exceed ..	0 15 0
		2 0 0

THE SECOND SCHEDULE—*continued.*

Item No.	Matters in Connexion with which Costs are Payable.	Amount.
		£ s. d.
	<i>Attendances—continued.</i>	
37	On taxation of costs, per hour or part of hour .. ..	1 1 0
38	At meeting of creditors or committee of creditors under Part XI. or Part XII., per hour or part of hour .. ..	1 10 0
39	To file any document in the Registry, to deliver any document or papers, to obtain an appointment, to insert advertisements, or other attendance of a similar nature which does not require the personal attendance of the solicitor .. ..	0 8 0
40	On telephone .. ..	0 5 0
41	To swear an affidavit .. ..	0 8 0
42	On Official Receiver after sequestration order is made and giving him necessary information, per hour .. ..	1 5 0
43	At meeting of creditors under a sequestration order, per hour ..	1 10 0
44	Not otherwise provided for, necessitating the personal attendance of a solicitor, per hour .. ..	1 5 0
45	Not otherwise provided for, where the person attending is not a solicitor, per hour .. ..	0 12 0
	<i>Letters, Circulars and Telegrams.</i>	
46	Letters—formal acknowledgments .. ..	0 2 6
47	Ordinary letters .. ..	0 6 0
48	Special letters .. ..	0 10 6
49	Circular letters—after the first .. ..	0 1 6
50	Each telegram, including attendance to lodge .. ..	0 10 0

## THE THIRD SCHEDULE.

Rule 66.

TABLE A.

SCALE OF OFFICIAL FEES AND PERCENTAGES TO BE TAKEN IN THE REGISTRIES.

Item No.	Nature of Proceeding.	Amount.
		£ s. d.
1	On a petition .. ..	4 0 0
2	On a deed of assignment under Part XI. of the Act or on a chairman's certificate under section 161 (c) .. ..	4 0 0
3	On a deed under Part XII. of the Act .. ..	4 0 0
4	On a declaration by a debtor of inability to pay his debts ..	0 10 0
5	On a notice of intention to oppose a petition or application ..	0 5 0
6	On an order adjourning a petition .. ..	0 10 0
7	On a voluntary application for discharge including the cost of gazetting and including the fee on the order granting or refusing the application .. ..	3 10 0
	and for each creditor to be notified .. ..	0 1 0
8	On an application for search, other than by a petitioner, the trustee, the debtor, or the bankrupt—each name .. ..	0 2 0
9	On an application to a Registrar exercising the power of the Court .. ..	0 10 0
10	On an application, other than in proceedings relating to a petition or to a voluntary application for discharge— (a) For hearing before a Judge in Court .. ..	2 0 0
	(b) For hearing before a Judge in Chambers .. ..	0 10 0
11	On an order other than one adjourning a petition or granting or refusing a voluntary application for discharge, made by a Judge— (a) In Court .. ..	1 0 0
	(b) In Chambers .. ..	0 10 0



## THE THIRD SCHEDULE—continued.

Item No.	Nature of Proceeding.	Amount.
12	On a bill of costs or bill or charges .. .. .	£ s. d. 0 5 0
13	On every estate sequestrated and on every estate in respect of which a composition or scheme of arrangement or deed of assignment has been entered into under Part XI. of the Act or in respect of which a deed of arrangement has been entered into under Part XII. of the Act, on the amount realized or brought to credit in the estate by the trustee, after the deduction of— (a) sums paid to secured creditors in respect of their securities; and (b) sums spent in carrying on the business of the bankrupt or debtor, or, in the case of a composition or scheme of arrangement to which section 161A of the Act applies, on the amount received by the trustee or distributed by the debtor to creditors, a percentage at the following rates :— On the first Five thousand or part thereof .. .. . On the next Five thousand pounds or part thereof .. .. . On the next Ten thousand pounds or part thereof .. .. . On all further sums .. .. .	1 5 0 per centum 1 0 0 per centum 0 15 0 per centum 0 4 0 per centum
14	On an order made by a Registrar exercising the power of the Court .. .. .	0 10 0
15	On a subpoena or summons, for each person required to attend .. .. .	0 2 0
16	On an allocatur or certificate by a Taxing Officer .. .. .	0 5 0
17	Percentage charge on the amount allowed by the allocatur or certificate, excluding the fee of Five shillings and the percentage charge .. .. .	6d. in £
18	For signing and sealing or signing or sealing any document, not being a copy of a bankruptcy notice, petition, subpoena or summons issued at the time the original is signed, in respect of which a fee is not otherwise chargeable or provided for in this scale .. .. .	0 2 6
19	On a bond by, or in respect of, a trustee .. .. .	1 0 0
20	On an affidavit other than proof of debt, affidavit verifying trustees' accounts or affidavit sworn by bankrupt in accordance with form 72 in Schedule I. of the Bankruptcy Rules .. .. .	0 2 6
21	For taking and transcribing notes of evidence taken at examinations held under the Act other than examinations held before a Judge in connexion with applications for discharge, including one copy for either the Official Receiver or the trustee, per folio .. .. .	0 0 6
22	For each additional copy if ordered before the examination, per folio .. .. .	0 0 5
23	For each additional copy, if not ordered before the commencement of the examination, charge as for office copies .. .. .	0 0 6
24	For an office copy—per folio .. .. .	0 0 8
25	For examining a copy supplied by a party and for marking it as an office copy, or for certifying for the purposes of an appeal to the High Court, per folio .. .. .	0 5 0
26	On a certificate issued by a Registrar or Deputy Registrar relating to any matter under the Act, other than a certificate for costs or an allocatur .. .. .	0 5 0
27	On an application to fix a fresh date for the hearing of a petition which has not been served, including where necessary the signing and the sealing of the alteration .. .. .	0 5 0
28	On an application to extend the time for service of a bankruptcy notice, including the signing and the sealing of the order extending .. .. .	0 10 0
29	On issuing a bankruptcy notice, including copies for service .. .. .	1 10 0

TABLE B.

Rule 66.

SCALE OF OFFICIAL FEES AND PERCENTAGES TO BE TAKEN BY OFFICIAL RECEIVERS  
OTHER THAN OFFICIAL RECEIVERS REMUNERATED BY FEES AND COMMISSION  
ONLY.

Item No.	Matter.	Amount.
1	For Official Receiver's officer executing attachment order and making inventory, per hour or part of hour .. .. .	£ s. d. 0 10 0
2	For room for meeting or adjourned meeting of creditors convened by the Official Receiver as Interim Receiver, as Official Receiver, or as trustee .. .. .	1 10 0
3	For official stationery, printing, books, postage, telegrams and local telephone calls— (a) For every twenty creditors or part of twenty in each estate .. .. . (b) For every twenty debtors or part of twenty in each estate .. .. .	2 0 0 1 0 0
4	Notices to creditors of Court Sitings, of meetings of creditors, and of dividends payable, each notice ..	0 1 0
5	On the amount realized or brought to credit by an Official Receiver whether acting as Interim Receiver, Official Receiver, or as trustee, after deducting— (a) sums paid to secured creditors in respect of their securities; and (b) sums spent in carrying on the business of the debtor or bankrupt, a fee in accordance with the following scale :— Where the amount realized or brought to credit— does not exceed £50 .. .. . exceeds £50 but does not exceed £100 .. .. . exceeds £100 but does not exceed £200 .. .. . exceeds £200 but does not exceed £300 .. .. . exceeds £300 but does not exceed £400 .. .. . exceeds £400 but does not exceed £500 .. .. . exceeds £500 but does not exceed £10,000 .. .. . exceeds £10,000 but does not exceed £20,000 .. .. . exceeds £20,000 .. .. .	10 0 0 15 0 0 20 0 0 25 0 0 30 0 0 35 0 0 £35 plus £7 10s. for every £100 or fraction of £100 in excess of £500 £747 10s. plus £3 10s. for every £100 or fraction of £100 in excess of £10,000 £1,097 10s. plus £1 for every £100 or fraction of £100 in excess of £20,000
6	For carrying on the business of a debtor or a bankrupt as Interim Receiver, as Official Receiver or as a trustee—a percentage to be fixed by the Official Receiver at not less than One pound per centum and not exceeding One pound ten shillings per centum on the turnover made in the ordinary course of carrying on the business in addition to the fee fixed in pursuance of the last preceding item	
7	For collecting book debts, otherwise than through a paid agent—a percentage at the rate of Five pounds per centum on the amount of book debts collected by him either as Official Receiver or trustee in addition to the fee and percentage fixed by items 5 and 6 of this table	
8	For travelling expenses, keeping possession of property and all other reasonable expenses incurred in the administration of an estate by the Official Receiver as Interim Receiver, as Official Receiver or as trustee—the actual expenses incurred	

16. The Sixth Schedule to the Bankruptcy Rules is repealed and the following Schedules are inserted in its stead:—

### THE SIXTH SCHEDULE.

Rule 433.

#### PRESCRIBED LIMITS WITHIN WHICH A TRUSTEE'S COMMISSION MAY BE FIXED.

	Minimum.	Maximum.
Where the amount realized or brought to credit by the trustee does not exceed £300 .. .. .	5 per centum	10 per centum
Where the amount realized or brought to credit by the trustee exceeds £300—		
(a) on the first £300 .. .. .	5 per centum	10 per centum
(b) on the next £700 or part thereof .. .. .	4 per centum	7½ per centum
(c) on the next £15,000 or part thereof .. .. .	3 per centum	6 per centum
(d) on all amounts over £16,000 .. .. .	2½ per centum	5 per centum

### THE SEVENTH SCHEDULE.

Rule 79.

#### SCALE OF WITNESSES' EXPENSES.

	Allowance per Day.						
	£	s.	d.	£	s.	d.	
Professional men, including—							
Medical practitioners .. .. .	1	5	0	to	5	0	
Legal practitioners .. .. .							
Architects .. .. .							
Engineers or surveyors .. .. .							
Dentists .. .. .							
Veterinary surgeons .. .. .							
University professors .. .. .							
Accountants (carrying on business as principals) .. .. .							
Patent attorneys .. .. .							
If country witnesses, an additional daily allowance of .. .. .	0	5	0	to	1	10	0
Graziers, merchants, bankers, accountants, auctioneers and the like .. .. .	0	10	6	to	3	3	0
If country witnesses, an additional daily allowance of .. .. .	0	5	0	to	1	5	0
Police inspectors, journalists, tradesmen, artisans, merchants, master mariners, farmers, clerks, and the like .. .. .	0	7	6	to	2	10	0
If country witnesses, an additional daily allowance of .. .. .	0	5	0	to	1	5	0
Constables, apprentices, sailors, labourers and the like .. .. .	0	5	0	to	1	10	0
If country witnesses, an additional daily allowance of .. .. .	0	5	0	to	1	5	0
Female witnesses not engaged in business or a profession and not in receipt of salary or wages .. .. .	0	5	0	to	1	1	0
If country witnesses, an additional daily allowance of .. .. .	0	3	0	to	1	5	0
Female witnesses engaged in business or in profession, or in receipt of salary or wages .. .. .	Same as male witnesses of similar class						

1. A witness shall be deemed to be a country witness if he does not reside within five miles of the principal post office or court house of the city or town where the cause or matter is tried or heard, or if he does not ordinarily proceed to an office or place of employment which is within five miles of such post office or court house
2. In addition to the above allowances country witnesses may be allowed such sum as the Taxing Officer thinks reasonable to provide for actual expenses of conveyance to and from the place of trial or hearing, excluding any charges for maintenance or sustenance
3. The Taxing Officer may also allow such amount as he thinks has been reasonably and properly incurred and paid to witnesses for qualifying to give skilled evidence.

By Authority: L. F. JOHNSTON, Commonwealth Government Printer, Canberra.