

STATUTORY RULES

1969 No.

REGULATIONS UNDER THE PUBLIC WORKS COMMITTEE ACT 1969.*

I, THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the *Public Works Committee Act 1969*.

Dated this *nineteenth*
day of *November*, 1969.

Paul Hasluck

Governor-General.

By His Excellency's Command, *"Andrew Peacock"*
Minister of State for *the Army*
for and on behalf of
the
Prime Minister.

PUBLIC WORKS COMMITTEE REGULATIONS

1. These Regulations may be cited as the Public Works Committee Regulations. Citation.
- 2.—(1.) In these Regulations— Interpretation.

“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 First Schedule to these Regulations.
- 3.—(1.) An oath under section 20 of the Act may be in accordance with Form 1. Forms of oath and affirmation.

(2.) An affirmation under section 20 of the Act may be in accordance with Form 2.
4. A summons to a witness under section 21 of the Act may be in accordance with Form 3. Form of summons.
5. A warrant for the apprehension of a witness under section 22 of the Act may be in accordance with Form 4. Form of warrant.
- 6.—(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 Second Schedule to these Regulations. Witnesses' fees and expenses.
7. An assessor attending a meeting of the Committee to assist the Committee shall be paid— Assessors' fees and expenses.
 - (a) such fee as the Chairman determines, being a fee that is not less than Ten dollars fifty cents, or more than Fifty-two dollars fifty cents, for each day on which he so attends;
 - (b) such expenses as the Chairman thinks reasonable in respect of his conveyance to and from the place at which he so attends; and

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- (c) if he is required to be absent overnight from his usual place of residence—such expenses as the Chairman thinks reasonable for meals and accommodation.

8.—(1.) The Chairman or other member presiding at a meeting of the Committee shall be paid an allowance of Thirteen dollars for each day on which he so presides. Attendance allowance to members.

(2.) A member attending a meeting of the Committee shall be paid an allowance of Ten dollars for each day on which he attends, and does not preside at, the meeting.

9.—(1.) The Chairman or a member shall, if he does not ordinarily reside in Canberra, be paid a travelling allowance of Fifteen dollars— Travelling allowance, &c., to members.

- (a) for each day or part of a day of travel from the place where he ordinarily resides to Canberra for the purpose of performing his duties as the Chairman or as a member;
- (b) for each day or part of a day of travel necessary to return to the place where he ordinarily resides from Canberra after performing those duties; and
- (c) for each day or part of a day of residence in Canberra necessary for the purpose of performing those duties.

(2.) Notwithstanding anything contained in the last preceding sub-regulation, the amount of travelling allowance payable to the Chairman or a member under that sub-regulation in respect of a particular day shall not exceed Fifteen dollars.

(3.) The Chairman or a member shall be paid a travelling allowance of Twenty-one dollars—

- (a) for each day or part of a day of travel for the purpose of performing his duties as the Chairman or as a member in respect of which travelling allowance is not payable under sub-regulation (1.) of this regulation;
- (b) for each day or part of a day of travel necessary to return to the place where he ordinarily resides from a place other than Canberra after performing those duties; and
- (c) for each day or part of a day of residence in a place, being a place other than Canberra or the place where he ordinarily resides, necessary for the purpose of performing those duties.

(4.) Notwithstanding anything contained in the last preceding sub-regulation, the amount of travelling allowance payable to the Chairman or a member under that sub-regulation in respect of a particular day shall not exceed Twenty-one dollars.

(5.) Where the Chairman or a member—

- (a) travels for the purpose of performing his duties as the Chairman or as a member; and
- (b) is provided, at the expense of the Commonwealth, with meals during the journey, or with meals and accommodation during an overnight stop during the journey or a portion of the journey,

he shall not be paid travelling allowance under sub-regulation (1.) or (3.) of this regulation in respect of the journey or the portion of the journey, but shall be paid in respect of the journey or the portion of the journey a travelling allowance of an amount equal to twenty-five per centum of the amount of the travelling allowance that would, but for this sub-regulation, have been payable under this regulation in respect of the journey or the portion of the journey.

(6.) The period for which travelling allowance is payable to the Chairman or a member under sub-regulation (1.) of this regulation in respect of travel to or from Canberra shall not exceed two days.

(7) The last preceding sub-regulation does not limit the period for which travelling allowance is payable to the Chairman or a member under sub-regulation (1.) or (3.) of this regulation in respect of residence in any place.

(8.) Travelling allowance is not payable to the Chairman or a member under this regulation in respect of a part of a day on which he leaves the place where he ordinarily resides after eight o'clock in the evening of that day or, having left Canberra, arrives at the place where he ordinarily resides before eight o'clock in the morning of that day.

(9.) The Chairman or a member who travels on business arising out of his duties as the Chairman or as a member shall be paid such amount as is necessary to pay the expenses, if any, incurred in respect of his conveyance.

(10.) The Chairman or a member shall not be paid travelling allowance, or expenses in respect of his conveyance, under this regulation in respect of travel in respect of which he has received travelling allowance, or expenses in respect of his conveyance, as the case may be, as a member of the Parliament travelling on business arising out of his duties as a member of the Parliament.

10. 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—

Sectional Committees.

- (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.—(1.) Where a witness or an assessor would, but for this sub-regulation, be entitled to be paid under these Regulations—

Provisions to prevent double payments.

- (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 sub-regulation, 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 sub-regulation.

(2.) Where a meeting of the Committee and a meeting of a Sectional Committee are held on the same day—

- (a) the Chairman shall, if he attends both meetings, be paid an allowance under sub-regulation (1.) of regulation 8 of these Regulations in respect of the meeting of the Committee, but shall not be paid an allowance under that sub-regulation in respect of the other meeting; and
- (b) a member who attends both meetings shall be paid—
 - (i) if he presides at both meetings or at one of the meetings—the allowance under sub-regulation (1.) of regulation 8 of these Regulations in respect of one of those meetings; or
 - (ii) if he does not preside at either of those meetings—the allowance under sub-regulation (2.) of that regulation in respect of one of those meetings,

but he shall not be paid an allowance under that regulation in respect of the other meeting.

(3.) Where the Chairman or a member travels on a particular journey for the purpose of performing his duties as the Chairman or as a member of the Committee and as the Chairman or as a member of a Sectional Committee, he

shall be paid a travelling allowance under regulation 9 of these Regulations in respect of travel on that journey for the purpose of performing his duties as the Chairman or as a member of the Committee, or in respect of travel on that journey for the purpose of performing his duties as the Chairman or as a member of a Sectional Committee, whichever is the greater, but he shall not be paid any other travelling allowance under that regulation in respect of travel on that journey.

(4.) Where, in respect of travel on a particular journey, a person would, but for this sub-regulation, 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.

THE SCHEDULES

FIRST SCHEDULE

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)

Regulation 5

Public Works Committee Act 1969

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*).

(Chairman)

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

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 not less than Ten dollars Fifty cents, or more than Fifty-two dollars fifty cents, for each day on which he so appears.

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) if he is remunerated by wages, salary or fees—

(i) a fee equal to the amount of wages, salary or fees lost by him by reason of his so appearing; or

(ii) a fee of Sixteen dollars for each day on which he so appears.

whichever is the less: or

(b) if he is not so remunerated—a fee of Six dollars for each day on which he so appears.

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.