



# Public Works Committee Regulations 1969

Statutory Rules No. 182, 1969 as amended

made under the

*Public Works Committee Act 1969*

**Compilation start date:** 17 December 2013

**Includes amendments up to:** SLI No. 266, 2013

Prepared by the Office of Parliamentary Counsel, Canberra

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## About this compilation

### **This compilation**

This is a compilation of the *Public Works Committee Regulations 1969* as in force on 17 December 2013. It includes any commenced amendment affecting the legislation to that date.

This compilation was prepared on 17 December 2013.

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of each amended provision.

### **Uncommenced amendments**

The effect of uncommenced amendments is not reflected in the text of the compiled law but the text of the amendments is included in the endnotes.

### **Application, saving and transitional provisions for provisions and amendments**

If the operation of a provision or amendment is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

### **Modifications**

If a provision of the compiled law is affected by a modification that is in force, details are included in the endnotes.

### **Provisions ceasing to have effect**

If a provision of the compiled law has expired or otherwise ceased to have effect in accordance with a provision of the law, details are included in the endnotes.

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## **1 Name of regulations**

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)

<b>Item</b>	<b>Authority of the Commonwealth</b>
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

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

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<b>Item</b>	<b>Authority of the Commonwealth</b>
23A	Defence Housing Australia
24	Essendon Airport Limited
25A	Export Finance and Insurance Corporation
26B	Hoxton Park Airport Limited
26C	Moorebank Intermodal Company Limited
26D	NBN Co Limited
27	Overseas Telecommunications Commission (Australia)
28	Pipeline Authority
29	Sydney Airports Corporation Limited

## Endnotes

### Endnote 1—About the endnotes

The endnotes provide details of the history of this legislation and its provisions. The following endnotes are included in each compilation:

- Endnote 1—About the endnotes
- Endnote 2—Abbreviation key
- Endnote 3—Legislation history
- Endnote 4—Amendment history
- Endnote 5—Uncommenced amendments
- Endnote 6—Modifications
- Endnote 7—Misdescribed amendments
- Endnote 8—Miscellaneous

If there is no information under a particular endnote, the word “none” will appear in square brackets after the endnote heading.

### Abbreviation key—Endnote 2

The abbreviation key in this endnote sets out abbreviations that may be used in the endnotes.

### Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended the compiled law. The information includes commencement information for amending laws and details of application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision level. It also includes information about any provisions that have expired or otherwise ceased to have effect in accordance with a provision of the compiled law.

### Uncommenced amendments—Endnote 5

The effect of uncommenced amendments is not reflected in the text of the compiled law but the text of the amendments is included in endnote 5.

## Endnotes

Endnote 1—About the endnotes

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### **Modifications—Endnote 6**

If the compiled law is affected by a modification that is in force, details of the modification are included in endnote 6.

### **Misdescribed amendments—Endnote 7**

An amendment is a misdescribed amendment if the effect of the amendment cannot be incorporated into the text of the compilation. Any misdescribed amendment is included in endnote 7.

### **Miscellaneous—Endnote 8**

Endnote 8 includes any additional information that may be helpful for a reader of the compilation.



**Endnote 2—Abbreviation key**

ad = added or inserted	pres = present
am = amended	prev = previous
c = clause(s)	(prev) = previously
Ch = Chapter(s)	Pt = Part(s)
def = definition(s)	r = regulation(s)/rule(s)
Dict = Dictionary	Reg = Regulation/Regulations
disallowed = disallowed by Parliament	reloc = relocated
Div = Division(s)	renum = renumbered
exp = expired or ceased to have effect	rep = repealed
hdg = heading(s)	rs = repealed and substituted
LI = Legislative Instrument	s = section(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sch = Schedule(s)
mod = modified/modification	Sdiv = Subdivision(s)
No = Number(s)	SLI = Select Legislative Instrument
o = order(s)	SR = Statutory Rules
Ord = Ordinance	Sub-Ch = Sub-Chapter(s)
orig = original	SubPt = Subpart(s)
par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)	

## Endnotes

### Endnote 3—Legislation history

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### Endnote 3—Legislation history

Number and year	FRLI registration or gazettal	Commencement	Application, saving and 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 ( <i>see</i> 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	—
2005 No. 207	19 Sept 2005 ( <i>see</i> F2005L02673)	1 Oct 2005 ( <i>see</i> r. 2)	—
2007 No. 113	11 May 2007 ( <i>see</i> F2007L01315)	12 May 2007	—
2010 No. 173	1 July 2010 ( <i>see</i> F2010L01725)	2 July 2010	—
60, 2013	30 Apr 2013 ( <i>see</i> F2013L00699)	1 May 2013	—
266, 2013	16 Dec 2013 ( <i>see</i> F2013L02119)	17 Dec 2013	—

**Endnote 4—Amendment history**

<b>Provision affected</b>	<b>How affected</b>
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
<b>Schedule 1</b>	
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
<b>Schedule 2</b>	
Heading to Schedule 2 .....	ad. 1986 No. 82
Second Schedule.....	rs. 1976 No. 218
	am. 1981 No. 241
<b>Schedule 3</b>	
Schedule 3 .....	ad. 1986 No. 82

## Endnotes

### Endnote 4—Amendment history

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<b>Provision affected</b>	<b>How affected</b>
	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; 2010 No. 173; No 60 and 266, 2013

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Endnote 5—Uncommenced amendments [none]

**Endnote 5—Uncommenced amendments [none]**

**Endnote 6—Modifications [none]**

**Endnote 7—Misdescribed amendments [none]**

**Endnote 8—Miscellaneous [none]**