

# POOR PERSONS' LEGAL ASSISTANCE REGULATIONS.<sup>(1)</sup>

## Regulations 1936, No. 8.

1. These Regulations may be cited as the *Poor Persons' Legal Assistance Regulations*.<sup>(1)</sup> Short title.
2. In these Regulations, unless the contrary intention appears— Definition.  
 "Ordinance" means the *Poor Persons' Legal Assistance Ordinance* 1936.
3. Where a person is committed for trial for an indictable offence, the court by which he is committed for trial shall read over and explain to him the provisions of section 2 of the Ordinance. Notification of provisions of Ordinance.
4. An application under sub-section (1.) of section 2 of the Ordinance shall be in accordance with Form A in the Schedule to these Regulations. Form of application under sub-section (1.) of section 2 of Ordinance.
5. A person applying for legal assistance in accordance with the provisions of the Ordinance shall forward his application for legal assistance to the Registrar of the Supreme Court or in a case of urgency to a Judge. Application to be forwarded to Registrar or a Judge.
6. There shall be allowed to the solicitor who has been employed by the Administrator under sub-section (3.) of section 2 of the Ordinance to undertake the defence of an accused person committed for trial for an indictable offence or indictable offences a fee of Eight pounds eight shillings, and a further fee of Five pounds five shillings in respect of every day on which a hearing takes place: Solicitor's fees.
- Provided that, where the presiding Judge, after the conclusion of the trial or trials, certifies that the case or cases was or were of exceptional length or difficulty, the fee of Eight pounds eight shillings may be increased to such sum not exceeding Eighteen pounds eighteen shillings as he may direct:
- Provided further that no fee shall be payable in respect of a hearing relating only to an application by either the prosecution or the defence for an adjournment or a remand or as to bail.

(1) Particulars of these Regulations are as follows:—

Ordinance under which made.	Date on which made by Administrator.	Date on which published in <i>N.G. Gaz.</i>	Date on which took effect and came into operation.
<i>Poor Persons' Legal Assistance Ordinance</i> 1936	19.3.1936	21.3.1936	21.3.1936 ( <i>N.G. Gaz.</i> of 21.3.1936)

CRIMINAL LAW—

THE SCHEDULE.

Reg. 4.

Form A.

TERRITORY OF NEW GUINEA.

*Poor Persons' Legal Assistance Ordinance 1936.*

APPLICATION FOR LEGAL ASSISTANCE.

To His Honour Judge

Sir,

I hereby apply under the *Poor Persons' Legal Assistance Ordinance 1936* for legal assistance for my defence, as I have been committed for trial for the offence[s] of

Name of applicant:

Address:

Period of residence in the Territory:

Occupation[s] during residence in the Territory:

Dependants:

Amount of wages, earnings, allowances, and gifts of money received during the six months immediately preceding the date of this application:

Banks at which applicant had an account during the six months immediately preceding the date of this application:

Banks at which applicant has an account at the date of this application:

Money in applicant's possession or at his disposition at the date of this application:

Nature and value of other property of any kind whatsoever in which applicant has an interest at the date of this application:

Nature and value of property of any kind whatsoever which applicant has disposed of during the six months immediately preceding the date of this application:

Any special reason why this application should be granted:

Dated at this day of , 19 .

Signature of applicant:

I, of , do solemnly and sincerely declare:—

- (1.) That I am the applicant for legal assistance under the *Poor Persons' Legal Assistance Ordinance 1936* in application dated the day of , 19 .
- (2.) That I am without adequate means to provide legal assistance for my defence.
- (3.) That the facts stated in my said application are true and correct in every particular.

And I make this solemn declaration by virtue of the *Statutory Declarations Act 1911* (Commonwealth adopted) conscientiously believing the statements contained therein to be true in every particular.

Signature of declarant:

Declared at this day of , 19 .

Before me,

(a)

(b)

(a) Signature of person before whom declaration is made.

(b) Here insert title of person before whom declaration is made.

NOTE.—Any person who wilfully makes a false statement in a statutory declaration is guilty of an indictable offence, and is liable to imprisonment, with or without hard labour, for four years.