

## **EXPLANATORY STATEMENT**

### **SUPREME COURT AMENDMENT RULES 2004 (No 3)**

Subordinate Law SL2004-15

Issued by the Authority of the Judges of the  
Supreme Court of the Australian Capital Territory

The resident Judges of the Court (of whom there are currently four, including the Chief Justice) or any two of the resident Judges, may make Rules of Court regulating the practice and procedure of the Court pursuant to section 36 of the Supreme Court Act 1933.

The Rules are made under section 91 of the Civil Law (Wrongs) Act 2002 to give effect to the provisions of Chapter 6 of that Act which requires the Court to appoint an expert to give expert medical evidence in proceedings for damages for personal injury or fatal injury.

The Rules set out the procedure for selection of the expert by the court. The Rules also make provision for the material required to be given to that person. The Rules allow an appointed expert to seek directions from the Court. The Rules then establish a regime for filing of an expert report, its admission into evidence, payment of the fee for the report and attendance of the expert at the hearing of the proceeding.

The jurisdiction of the Court under these rules may be exercised by both the Master and the Registrar.