

EXPLANATORY STATEMENT

Subordinate Law 2000 No. 24

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

SUPREME COURT RULES AMENDMENT

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

The Evidence (Miscellaneous Provisions) Act 1991 [subsection 18(2)] enables a Territory court to direct that evidence be taken or a submission be made by audio-visual link or audio-link from a participating State.

These amending Rules insert a new Division 2 into Order 39 which provides the procedural mechanism for the making of an application for a direction under subsection 18(2) of the Evidence (Miscellaneous Provisions) Act 1991, including:

- the manner by which an application for a direction may be made;
- the content required in an affidavit in support of an application;
- relevant considerations by the Court in deciding whether to grant an application; and
- directions that the Court may give when an application is granted.