

Explanatory Statement

Court Procedures Amendment Rules 2009 (No 2)
Subordinate Law SL2009 - 32

Issued by the Authority of the Rule-Making Committee

The Rule-Making Committee (currently comprising the Chief Justice, President Gray, Justice Refshauge, the Chief Magistrate and Magistrate Burns) may make rules in relation to the practice and procedure of ACT courts and their registries pursuant to section 7 of the *Court Procedures Act 2004*.

From the time of commencement of the Court Procedures Rules 2006, the Courts and the Joint Rules Advisory Committee have conducted a continuous and consultative review of the rules. This process has resulted in the attached *Court Procedures Amendment Rules 2009 (No 2)*.

In addition to some minor amendments, new rules have been introduced to provide for procedures for bringing appeals from an order of the ACT Civil and Administrative Tribunal (ACAT) (Part 5.3).

New rules have also been introduced as a new Div. 6.8.12 which mirror uniform rules across Australian jurisdictions for service of documents in civil proceedings under the Hague Convention. New forms 6.21 (Request for service abroad of judicial documents and certificate) and 6.22 (Summary of document to be served) have also been introduced.

Amendments have been made to the rules requiring each page to an affidavit to be numbered so as to facilitate efficient and quick reference to them (Rule 6712).