AUSTRALIAN CAPITAL TERRITORY

Supreme Court Rules[1] (Amendment)

Subordinate Law No. 34 of 1992[2]

We, Judges of the Supreme Court, make the following Rules of Court under section 36 of the *Supreme Court Act 1933*.

Dated 14 December 1992.

JEFFREY MILES
Chief Justice

J F GALLOP
Judge

T J HIGGINS
Judge

A G TOWILL
Registrar

Principal Rules

1. In these Rules, "Principal Rules" means the Supreme Court Rules.

References to Judge in Chambers

2. The Principal Rules are amended—

   (a) by omitting "Court or Judge" (wherever occurring) and substituting "Court";

   (b) by omitting "Court or a Judge" (wherever occurring) and substituting "Court"; and

   (c) by omitting "Court or the Judge" (wherever occurring) and substituting "Court".

Formal amendments

   3. The Principal Rules are amended as set out in the Schedule.

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SCHEDULE   Rule 3

Order 1, subrule 4 (1) (definition of "Crown Solicitor")—

After "Commonwealth", insert "or the Government Solicitor".

Order 1, subrule 4 (1) (definitions of "ASC Law", "Corporations Law", "to file", "the Act", "the Magistrates Court", "the Registrar" and "the Sheriff" and the combined definition of "the Court" and "the Supreme Court")—

Omit the definitions.

Order 1, subrule 4 (1)—

Insert the following definitions:

" 'Act' means the *Supreme Court Act 1933*;

'file' means to file in the Registrar's office;".

Order 26, subrule 1 (6)—

Omit "53A", substitute "69".

Order 36, rule 9—

Omit ", whether made in Court or in Chambers,".

Order 42A, rule 1—

Omit "54", substitute "70".

Order 52, rule 6—

Omit "26" (wherever occurring), substitute "34".

SCHEDULE—continued

Order 52, paragraph 23 (2) (a)—

Omit "54", substitute "70".

Order 53, rule 4—

Omit ", whether in Court or in Chambers,".

Order 61, paragraph 3 (b)—

Omit all the words after "11", substitute "of the *Service and Execution of Process Act 1901* of the Commonwealth or leave under section 16 of that Act;".

Order 61, subrules 5 (1) and (2)—

Omit "8AAB (2)", substitute "10 (2)".

Order 61A, paragraph 1 (d)—

Omit "53A", substitute "69".

Order 61A, paragraph 1 (j)—

Omit all the words after "11", substitute "of the *Service and Execution of Process Act 1901* of the Commonwealth or leave under section 16 of that Act;".

Order 61A, rule 5—

Omit "8AAA (2) (a)", substitute "9 (2) (a)".

Order 61A, rule 6—

Omit "8AAA (2) (b)", substitute "9 (2) (b)".

Order 61A, subrule 8 (1)—

Omit "8AAA (2) (b)", substitute "9 (2) (b)".

Order 61A, rule 10—

Omit "8AAA (2)", substitute "9 (2)".

Order 73, rule 2—

Omit "or to the Judge sitting in Chambers".

Order 73, subrules 6 (4) and 10 (1)—

Omit "sitting in Chambers".

SCHEDULE—continued

Order 75B, subrule 2 (1) (definitions of "ASC Law", "Corporations Law" and "Corporations Regulations")—

Omit the definitions.

Seventh Schedule, Form 34—

Omit "sub-section (1) of section 35A of the *Australian Capital Territory Supreme Court Act 1933-1968*", substitute "subsection 49 (1) of the *Supreme Court Act 1933*".

Ninth Schedule, Forms 13 and 16—

Omit "sub-section 35A (1) of the *Australian Capital Territory Supreme Court Act 1933*", substitute "subsection 49 (1) of the *Supreme Court Act 1933*".

NOTES

1. Reprinted by the Commonwealth as at 2 October 1991. See also Commonwealth Statutory Rules 1991 Nos. 416 and 472; 1992 Nos. 79 and 82; Subordinate Laws Nos. 16, 21 and 23, 1992.

2. Notified in the ACT Gazette on 18 December 1992.