



Australian Capital Territory

## Supreme Court Rules<sup>1</sup> (Amendment)

Subordinate Law No. 10 of 1996<sup>2</sup>

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

Dated 21 June 1996.

J F GALLOP  
Acting Chief Justice

T J HIGGINS  
Judge

A G TOWILL  
Registrar

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### **Commencement**

1. These Rules commence on the day on which they are notified in the *Gazette*.

### **Principal Rules**

2. In these Rules, “Principal Rules” means the Supreme Court Rules.

### **Application of Division**

3. Rule 23 of Order 39 of the Principal Rules is amended—
- (a) by omitting from subrule (1) “sending” and substituting “issue”; and
  - (b) by omitting from paragraph (1) (a) “subsection 7V (1) of the *Evidence Act 1905* of the Commonwealth” and substituting “subsection 85C (1) or 85D (1) of the *Evidence Act 1971* or subsection 7 (1) or 10 (1) of the *Foreign Evidence Act 1994* of the Commonwealth”.

### **Application for order**

4. Rule 24A of Order 39 of the Principal Rules is amended—
- (a) by omitting from subrule (5) “subsection 7V (2) of the *Evidence Act 1905* of the Commonwealth” and “subsection 7V (2) of the last-mentioned Act” and substituting “subsection 85C (2) of the *Evidence Act 1971*” and “subsection 85C (1) of that Act”, respectively; and
  - (b) by omitting from subrule (6) “subsection 7V (2) of the *Evidence Act 1905* of the Commonwealth” and substituting “subsection 85C (2) of the *Evidence Act 1971*”.

### **Forms of order**

5. Rule 24B of Order 39 of the Principal Rules is amended by omitting from subsection (2) “sending” and substituting “issue”.

### **Letters of request**

6. Rule 24C of Order 39 of the Principal Rules is amended by omitting from subsection (1) “sending” and substituting “issue”.

### **Procedure for taking evidence by examination—application of Division 3 rules**

7. Rule 24E of Order 39 of the Principal Rules is amended—

- (a) by omitting subrule (2); and
- (b) by omitting from subrule (3) “subsection 7V (3) of the *Evidence Act 1905* of the Commonwealth” and substituting “subsection 8 (1) of the *Foreign Evidence Act 1994* of the Commonwealth”.

### **First Schedule**

**8.** The First Schedule to the Principal Rules is amended by omitting from Form 40 “sent” and substituting “issued”.

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## **NOTES**

### **Principal Rules**

1. Reprinted as at 31 January 1996. See also Subordinate Law No. 4, 1996.

### **Notification**

2. Notified in the ACT Gazette on 28 June 1996.