



Australian Capital Territory

Court Procedures Amendment Rules 2013 (No 2)

Subordinate Law SL2013-32

We, the rule-making committee, make the following rules of court under the *Court Procedures Act 2004*, section 7.

Dated 17 December 2013.

H G MURRELL

Chief Justice

R REFSHAUGE

Judge

L WALKER

Chief Magistrate

L CAMPBELL

Magistrate



Australian Capital Territory

Court Procedures Amendment Rules 2013 (No 2)

Subordinate Law SL2013-32

made under the

[Court Procedures Act 2004](#)

1 Name of rules

These rules are the *Court Procedures Amendment Rules 2013 (No 2)*.

2 Commencement

These rules commence on 1 January 2014.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

3 Legislation amended

These rules amend the *Court Procedures Rules 2006*.

4 Rule 5441 (3)

substitute

- (3) If the appeal or cross-appeal is dismissed under subrule (1) (c), and the Supreme Court considers there are special circumstances to set aside the dismissal, the Court may, on application by the appellant or cross-appellant—
- (a) set aside the dismissal; and
 - (b) give directions for the further conduct of the appeal.
- (4) If the hearing proceeds under subrule (1) (d) in the absence of the party and an order is made, the Supreme Court may, on application by the party—
- (a) amend or set aside the order; and
 - (b) give directions for the further conduct of the appeal.

5 Rule 6251 (3) (d)

substitute

- (d) under the following provisions of the *Domestic Violence and Protection Orders Act 2008*:
- part 4 (Interim orders), other than section 36 (5), (6) and (7) and section 40
 - part 5 (Consent orders)
 - section 66 (If service impracticable or impossible);
- (da) under the following provisions of the *Domestic Violence and Protection Orders Regulation 2009*:
- section 17 (If applicant not present at return of application)
 - section 19 (Procedure if neither party appears)
 - division 9.1 (Motions) and division 9.2 (Amendments);

6 New rule 6251 (3) (g) and (h)

insert

- (g) under the *Victims of Crime (Financial Assistance) Act 1983*, section 56;
- (h) under the *Workers Compensation Act 1951*, section 79.

Endnotes

1 Notification

Notified under the [Legislation Act](#) on 19 December 2013.

2 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

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