

1993—No. 473

**LOCAL COURTS (CIVIL CLAIMS) ACT 1970—RULE**

NEW SOUTH WALES



*[Published in Gazette No. 100 of 10 September 1993]*

1. This rule is made by the Rule Committee on 30 August 1993, and has effect on and from 10 September 1993.
2. The Local Courts (Civil Claims) Rules 1988 are amended by inserting after Part 38A, rule 4 the following rule:

**Interest on judgment debt**

5. Where a judgment is registered in a court under section 105(1) of the Commonwealth Act, and the judgment creditor seeks to recover interest on the amount of the judgment payable under section 108 of that Act:

- (a) any affidavit in support of an application for a garnishee order; and
- (b) any application for the issue of a writ of execution, in respect of the judgment must contain particulars of the rate or rates, and the period or periods, which would be applicable to the recovery of interest on the judgment in the court of rendition.

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**EXPLANATORY NOTE**

The purpose of the amendment is to ensure that process for the enforcement of a judgment registered under the Service and Execution of Process Act 1992 contains particulars of the interest rates applicable to the judgment. Section 108 of the Act provides that interest is recoverable at the rates applicable in the interstate Court in which the judgment was given.

E. J. O'GRADY  
Secretary to the Rule Committee