



New South Wales

Arbitration (Civil Actions) Amendment (Rehearings) Regulation 1996

under the

Arbitration (Civil Actions) Act 1983

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Arbitration (Civil Actions) Act 1983*.

JEFFREY SHAW, QC., M.L.C.,
Attorney General

Explanatory note

This Regulation is consequential on the amendment to section 18 (5) (a) of the *Arbitration (Civil Actions) Act 1983* made by the *Statute Law (Miscellaneous Provisions) Act 1995*. This Regulation amends the *Arbitration (Civil Actions) Regulation 1994* so as to prescribe a period of time for the purposes of the amended section 18 (5) (a).

Section 18 (5) (a) as amended deals with the situation that arises if a person who has obtained an order for a rehearing of an action under the Act files a notice of discontinuance of that rehearing. The amended paragraph allows any other person aggrieved by the award in the action concerned (except for a person who consented to the discontinuance of the rehearing) to apply for an order for a rehearing of the action “within the prescribed period” after the filing of the notice of discontinuance.

This Regulation is made under the *Arbitration (Civil Actions) Act 1983*, and, in particular, under sections 18 (5) (a) and 20 (the general regulation-making power).

1996 No 638

Clause 1 Arbitration (Civil Actions) Amendment (Rehearings) Regulation 1996

Arbitration (Civil Actions) Amendment (Rehearings) Regulation 1996

1 Name of Regulation

This Regulation is the *Arbitration (Civil Actions) Amendment (Rehearings) Regulation 1996*.

2 Commencement

This Regulation commences on 20 December 1996.

3 Amendment of Arbitration (Civil Actions) Regulation 1994

The *Arbitration (Civil Actions) Regulation 1994* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 3)

Clause 5A

Insert after clause 5:

5A Prescribed period for application for order for rehearing after discontinuance of rehearing: section 18 (5) (a)

For the purposes of section 18 (5) (a) of the Act, the prescribed period is:

- (a) 28 days, or
- (b) if the court, on application made to it within that period of 28 days, allows a longer period—that longer period.