



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

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**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.