



New South Wales

SUPREME COURT RULES (AMENDMENT NO. 312) 1997

1. These rules are made by the Rule Committee on 21 July 1997.
2. The Supreme Court Rules 1970 are amended as follows:
 - Part 52A rule 40
Omit “Principal Registrar” and insert instead “Executive Officer, Costs Assessment”.
3. The Supreme Court Rules 1970 are further amended as follows:
 - Part 14 rule 4
Omit the rule.
4. The Supreme Court Rules 1970 are further amended as follows:
 - (a) Part 14A rule 12
Omit the rule.
 - (b) Part 36
After rule 2, insert:
Evidence by Audio-Visual Method or by Telephone

2A (1) The Court may give directions for evidence to be given, and proceedings on any hearing to be conducted, by any audio-visual method or by telephone.

(2) This rule shall not apply to directions which could be sought under section 25 of the Evidence and Procedure (New Zealand) Act 1994 of the Commonwealth.

EXPLANATORY NOTE

(This note does not form part of the rules).

1 The object of the amendment contained in paragraph 2 is to substitute the Executive Officer, Costs Assessment for the Principal Registrar as the proper officer of the Court for the purposes of Part 11 Division 6 of the Legal Profession Act 1987, to take advantage of the newly created office which is to take over the duties and obligations of the proper officer of the court under that Act.

2. The object of the amendment contained in paragraph 3 is to omit a rule concerning amendment of documents without leave in the Commercial Division. The rule is inconsistent with current practice in the Division.

1997 No 347

Supreme Court Rules (Amendment No 312) 1997

3. The object of the amendment contained in paragraph 4 (b) is to confirm the power of the Court to give directions for evidence to be given, and proceedings on any hearing to be conducted, by any audio-visual method or telephone. The amendment does not apply for directions which could be sought under section 25 of the Evidence & Procedure (New Zealand) Act 1994 of the Commonwealth (which section makes detailed provisions for similar directions to be given in limited circumstances covered by that section, the procedure on which is governed by Part 36A r. 7). Amendment 4 (a) omits a rule which is rendered superfluous by the new rule.

M.A. Blay

The Secretary of the Rule Committee