



New South Wales

Compensation Court Rule (Miscellaneous Amendments) 1998

under the

Compensation Court Act 1984

The Compensation Court Rule Committee made the following rule of court under the *Compensation Court Act 1984* on 3 December 1998.

S Davidson

Secretary of the Rule Committee

Explanatory note

The object of this Rule is to amend the *Compensation Court Rules 1990* to clarify matters to be pleaded in an answer where relief other than compensation is claimed and the application of summary judgment provisions to such claims and to remove a provision in relation to the operation of Practice Notes which may have been ultra vires.

Compensation Court Rule (Miscellaneous Amendments) 1998

1 Name of Rule

This Rule is the *Compensation Court Rule (Miscellaneous Amendments) 1998*.

2 Commencement

This Rule commences on 11 December 1998.

3 Amendment of Compensation Court Rules 1990

The *Compensation Court Rules 1990* are amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Rule.

Schedule 1 Amendments

(Clause 3)

[1] Part 1, rule 6 (2A):

- (i) Omit subclauses (a) and (b), insert instead after "proceedings" where thirdly appearing, "shall be taken to be a direction given by the Court under subrule (2)."

[2] Part 10, rule 2 (1):

After "compensation", insert "or other relief".

[3] Part 11, rule 3 (2) (a):

- (i) After "claimed", insert "or that the applicant is entitled to the relief sought".
- (ii) After "liable" when second appearing, insert "or that the applicant is so entitled".

[4] Part 11, rule 3 (4):

- (i) After "claimed", insert "or to give the relief sought".
- (ii) Omit "or" from clause (b).
- (iii) After "answer" in clause (c) insert "or".
- (iv) After clause (c), insert:
 - "(d) the operation of Part 10 in relation to summary judgment".