



New South Wales

# Land and Environment Court Act 1979

## Land and Environment Court Rules (Amendment No 3) 1999

Pursuant to s 74 of the *Land and Environment Court Act 1979* we have this day made the Rules set forth in the Schedule hereto.

Dated this 21st day of July 1999.

ML PEARLMAN

*M.L. Pearlman AM Chief Judge*

NR BIGNOLD

*N.R. Bignold Judge*

DH LLOYD

*D.H. Lloyd Judge*

### Explanatory note

The purpose of this Amendment to the *Rules of Court* is to adopt, with appropriate adaptations, the provisions of Parts 39 and 72 of the *Supreme Court Rules* relating respectively to the appointment of a Court Expert or a Court Referee in appropriate cases in respect of proceedings in class 1, 2, 3 and 4 of the Court's jurisdiction.

## **SCHEDULE**

### **Land and Environment Court Rules (Amendment No 3) 1999**

#### **1 Short Title**

These rules may be cited as the Land and Environment Court Rules (Amendment No 3) 1999.

#### **2 Commencement**

These rules shall commence on 1 October 1999.

#### **3 Amendment to Land and Environment Court Rules 1996**

The Land and Environment Court Rules 1996 are amended as follows:

**(a) Part 6 Rule 1 (1)**

- (i) insert after the number “38” the number “39”; and
- (ii) omit the words “and 64” and insert instead the words “64 and 72”.

**(b) Part 6 Rule 1 (4)**

- (i) insert after paragraph (a) the following new paragraph:
  - (a1) a reference to the Chief Justice of the Supreme Court is taken to be a reference to the Chief Judge of the Court;
- (ii) insert after paragraph (b) the following new paragraph:
  - (b1) a reference to a Master of the Supreme Court is taken to be a reference to a Commissioner of the Court.

**(c) Part 13 Rule 2**

Insert at the end the following new sub-rule:

- (2) A Commissioner shall not exercise any function conferred upon the Court by Part 6 Rule 1 (1) in respect of Supreme Court Rules Part 39 or 72 except with the prior concurrence of the Chief Judge.

BY AUTHORITY