



New South Wales

Civil Procedure Amendment (Savings and Transitional) (Industrial Relations Commission) Regulation 2010

under the

Civil Procedure Act 2005

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Civil Procedure Act 2005*.

JOHN HATZISTERGOS, MLC
Attorney General

Explanatory note

Civil proceedings before the Industrial Relations Commission became subject to the *Civil Procedure Act 2005* and the *Uniform Civil Procedure Rules 2005* on 1 February 2010 as a consequence of certain amendments made by the *Courts and Crimes Legislation Amendment Act 2009*.

The object of this Regulation is to provide for the extension of the *Civil Procedure Act 2005* and the *Uniform Civil Procedure Rules 2005* to civil proceedings before the Industrial Relations Commission that commenced before that date.

This Regulation is made under the *Civil Procedure Act 2005*, including clause 1 of Schedule 6 to that Act (the power to make regulations of a savings or transitional nature).

2010 No 521

Clause 1 Civil Procedure Amendment (Savings and Transitional) (Industrial Relations Commission) Regulation 2010

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1 Name of Regulation

This Regulation is the *Civil Procedure Amendment (Savings and Transitional) (Industrial Relations Commission) Regulation 2010*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Civil Procedure Regulation 2005

Clause 18A

Insert after clause 18:

18A Provisions consequent on enactment of Courts and Crimes Legislation Amendment Act 2009

- (1) This clause is taken to have commenced on 1 February 2010.
Note. 1 February 2010 was the date on which civil proceedings before the Industrial Relations Commission became subject to the Act and the uniform rules pursuant to the commencement of Schedule 2.6 [3] to the *Courts and Crimes Legislation Amendment Act 2009*.
- (2) Subject to subclause (3), the Act and the uniform rules apply to civil proceedings commenced in the Industrial Relations Commission before 1 February 2010 in the same way as they apply to civil proceedings commenced on or after that date.
- (3) In the case of civil proceedings commenced in the Industrial Relations Commission before 1 February 2010, the Industrial Relations Commission may make such orders dispensing with the requirements of the uniform rules in relation to the proceedings, and such consequential orders (including orders as to costs), as are appropriate in the circumstances.
- (4) In this clause:
Industrial Relations Commission includes the Commission in Court Session (the Industrial Court).
uniform rules means the *Uniform Civil Procedure Rules 2005*.