



New South Wales

Civil Procedure Amendment (Excluded Proceedings) Regulation 2011

under the

Civil Procedure Act 2005

Her Excellency the 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

The object of this Regulation is to amend the *Civil Procedure Regulation 2005* to exclude civil proceedings in the Supreme Court from the operation of Part 2A (Steps to be taken before the commencement of proceedings) of the *Civil Procedure Act 2005* pending the enactment by the Commonwealth Parliament of comparable provisions in relation to the commencement of civil proceedings in federal courts.

This Regulation is made under section 18B (4) (a) of the *Civil Procedure Act 2005*.

2011 No 126

Clause 1 Civil Procedure Amendment (Excluded Proceedings) Regulation 2011

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1 Name of Regulation

This Regulation is the *Civil Procedure Amendment (Excluded Proceedings) Regulation 2011*.

2 Commencement

This Regulation commences on 1 April 2011 and is required to be published on the NSW legislation website.

3 Amendment of Civil Procedure Regulation 2005

Clause 21

Insert after clause 20:

21 Excluded proceedings under Part 2A of Act

Any civil proceedings in the Supreme Court are declared to be excluded proceedings for the purposes of Part 2A of the Act.

Note. Section 18B (2) (b) of the Act provides that a civil dispute is an excluded dispute for the purposes of Part 2A of the Act where the dispute involves claims that may result in the commencement of excluded proceedings if the issues in dispute are not resolved or narrowed.