



Uniform Civil Procedure Rules (Amendment No 48) 2011

under the

Civil Procedure Act 2005

The Uniform Rules Committee has made the following rules of court under the *Civil Procedure Act 2005*.

Steven Jupp
Secretary of the Uniform Rules Committee

Explanatory note

The object of these Rules is to amend the *Uniform Civil Procedure Rules 2005* to clarify the circumstances in which a plaintiff is not entitled to payment of his or her costs in proceedings for an order or relief under the *Property (Relationships) Act 1984*.

2011 No 484

Rule 1 Uniform Civil Procedure Rules (Amendment No 48) 2011

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under the

Civil Procedure Act 2005

1 Name of Rules

These Rules are the *Uniform Civil Procedure Rules (Amendment No 48) 2011*.

2 Commencement

These Rules commence on the day on which they are published on the NSW legislation website.

3 Amendment of Uniform Civil Procedure Rules 2005

Rule 42.30 Property (Relationships) Act 1984

Omit rule 42.30 (1). Insert instead:

- (1) This rule applies to proceedings in the Supreme Court or the District Court in which the plaintiff commences proceedings for an order or relief under the *Property (Relationships) Act 1984* and the court:
 - (a) adjusts one or more interests in property or makes an order for maintenance where the total value of all adjustments made, or of the order for maintenance, does not exceed the jurisdictional limit of the Local Court sitting in its General Division (as that limit was when the proceedings were commenced), or
 - (b) declares a right in relation to property concerning which there was a bona fide dispute where the value of the extent of the right that was in dispute did not exceed the jurisdictional limit of the Local Court sitting in its General Division (as that limit was when the proceedings were commenced).