

NORTHERN TERRITORY OF AUSTRALIA
SUPREME COURT AMENDMENT RULES 2015

Subordinate Legislation No. 39 of 2015

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NORTHERN TERRITORY OF AUSTRALIA

Subordinate Legislation No. 39 of 2015*

Supreme Court Amendment Rules 2015

We, the undersigned Judges of the Supreme Court of the Northern Territory of Australia, under section 86 of the *Supreme Court Act*, make the following Rules of Court.

Dated 21 September 2015

T. J. RILEY CJ

S. R. SOUTHWOOD J

J. BLOKLAND J

J. KELLY J

P. BARR J

G. HILEY J

Judges of the Supreme Court
of the Northern Territory of Australia

* Notified in the *Northern Territory Government Gazette* on 23 December 2015.

1 Citation

These Rules may be cited as the *Supreme Court Amendment Rules 2015*.

2 Rules amended

These Rules amend the *Supreme Court Rules*.

3 Rule 5.07 amended

Rule 5.07(1)(a), after "within the Territory"

insert

, or an email address,

4 Rule 6.05 replaced

Rule 6.05

repeal, insert

6.05 Address for service

- (1) The address for service of a plaintiff is:
 - (a) where the plaintiff sues by a solicitor:
 - (i) the business address of the solicitor endorsed on the originating process, being an address in the Northern Territory; or
 - (ii) the email address of the solicitor endorsed on the originating process; or
 - (b) where the plaintiff sues in person:
 - (i) an address within 30 km of the Registry in which the originating process is issued endorsed on the originating process; or
 - (ii) the email address of the plaintiff endorsed on the originating process.

-
- (2) The address for service of a defendant is:
- (a) where the defendant appears by a solicitor:
 - (i) the business address of the solicitor stated in the notice of appearance, being an address in the Northern Territory; or
 - (ii) the email address of the solicitor stated in the notice of appearance; or
 - (b) where the defendant appears in person:
 - (i) an address within 30 km of the Registry in which the originating process is issued stated in the notice of appearance; or
 - (ii) the email address of the defendant stated in the notice of appearance.

5 Rule 6.06 amended

- (1) Rule 6.06(1)(a) and (b), at the end

insert

or

- (2) After rule 6.06(1)(c)

insert

- (ca) if the person to be served sues by a solicitor or appears by a solicitor and the solicitor has endorsed or stated an email address under rule 6.05 – by sending the document to the solicitor's email address; or
- (cb) if the person to be served sues in person or appears in person and has endorsed or stated an email address under rule 6.05 – by sending the document to the email address; or

6 Schedule 1 amended

- (1) Schedule 1, Form 5A

omit

of 19

insert

of

- (2) Schedule 1, Form 5A

omit

(e.g. 15 June 19).

- (3) Schedule 1, Form 5A, Part 3, item 4

omit, insert

[If the plaintiff sues by a solicitor, the address for service is the business address or email address of the solicitor or, where the solicitor acts by an agent, the business address or email address of the agent. If the plaintiff sues without a solicitor, and the address for service is not an email address, the address for service is stated in 3, but, if that address is not within 30 km of the Registry in which the Writ is filed the plaintiff must state an address for service which is within 30 km of that Registry.]

- (4) Schedule 1, Form 5B

omit

(e.g. 15 June 19).

- (5) Schedule 1, Form 5B, Part 3, item 4

omit, insert

[If the plaintiff sues by a solicitor, the address for service is the business address or email address of the solicitor or, if the solicitor acts by an agent, the business address or email address of the agent. If the plaintiff sues without a solicitor, and the address for service is not an email address, the address for service is stated in 3, but, where that address is not within 30 km of the Registry in which the originating motion is filed the plaintiff must state an address for service which is within 30 km of that Registry.]

- (6) Schedule 1, Form 5D

omit

of 19

insert

of

-
- (7) Schedule 1, Form 5D
omit
[e.g. 20 June, 19] at a.m. [or p.m.]
insert
[date] at [time]
- (8) Schedule 1, Form 5D
omit
[e.g. 15 June 19].
- (9) Schedule 1, Form 5D
omit
The address of the plaintiff is:
insert
The address of the plaintiff is:
The address for service of the plaintiff is:
- (10) Schedule 1, Form 5E
omit
of 19
insert
of
- (11) Schedule 1, Form 5E
omit
[e.g. 20 June 19] at a.m. [or p.m.]
insert
[date] at [time]

-
- (12) Schedule 1, Form 5E
omit
[e.g. 15 June 19].
- (13) Schedule 1, Form 5E, Part 2, item 4
omit, insert
[If the plaintiff sues by a solicitor, the address for service is the business address or email address of the solicitor or, if the solicitor acts by an agent, the business address or email address of the agent. Where the plaintiff sues without a solicitor, and the address for service is not an email address, the address for service is stated in 3, but, if that address is outside the Northern Territory, the plaintiff must state an address for service within the Northern Territory.]
- (14) Schedule 1, Form 8A
omit
[e.g. 15 June 19].
- (15) Schedule 1, Form 8A, after "the defendant within the Northern Territory"
insert
, or email address,
- (16) Schedule 1, Form 8A, after "for the defendant"
insert
or, if the address for service is the solicitor's email address, the email address of the solicitor,
- (17) Schedule 1, Form 8A, after "*principal*"
insert
or, if the address for service is the principal's email address, the email address of the principal,

(18) Schedule 1, Form 88U

omit

him

insert

the applicant

(19) Schedule 1, Form 88U

omit

(See Rule 6.05(1))

insert

(Rule 6.05 applies as if the applicant were a plaintiff)

(20) Schedule 1, Form 88ZD

omit

(See Rule 6.05 of General Rules)

insert

(Rule 6.05 applies as if the caveator were a plaintiff)

7 Expiry of Rules

These Rules expire on the day after they commence.