

NORTHERN TERRITORY OF AUSTRALIA  
SUPREME COURT AMENDMENT (AUTHORITY OF MASTER)  
RULES 2010

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Subordinate Legislation No. 30 of 2010

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## SUPREME COURT AMENDMENT (AUTHORITY OF MASTER) RULES 2010

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 9 November 2010

T. J. RILEY CJ

D. MILDREN J

S. R. SOUTHWOOD J

J. KELLY J

P. BARR J

Judges of the Supreme Court  
of the Northern Territory of Australia

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\* Notified in the *Northern Territory Government Gazette* on 15 December 2010.

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**1 Citation**

These Rules may be cited as the *Supreme Court Amendment (Authority of Master) Rules 2010*.

**2 Rules amended**

These Rules amend the *Supreme Court Rules*.

**3 Rule 32.08 amended**

Rule 32.08(3)

*omit*

**4 Rule 53.07 replaced**

Rule 53.07

*repeal, insert*

**53.07 Judgment for possession**

In a proceeding under this Order, a judgment for possession must be in Form 53A.

**5 Rule 53.08 amended**

Rule 53.08(1)

*omit, insert*

- (1) In relation to a proceeding under this Order, a person may issue a warrant of possession to enforce a judgment for possession only if:
- (a) 3 months have elapsed since the judgment for possession took effect; and
  - (b) the leave of the Court has been obtained.

**6 Rule 77.01 amended**

- (1) Rule 77.01, heading

*omit, insert*

**77.01 Authority in civil proceedings**

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(2) Rule 77.01(1)

*omit*

may:

*insert*

may do any of the following:

(3) Rule 77.01(1)(h)

*omit*

land; and

*insert*

land;

(4) After rule 77.01(1)(j)

*insert*

(k) exercise the jurisdiction of the Court under the *Family Law Act 1975* (Cth).

(5) After rule 77.01(2)

*insert*

(3) Subject to these Rules, the Master may hear and determine all interlocutory matters including an application for an interim or interlocutory injunction.

## **7 Rule 77.02 amended**

(1) Rule 77.02(4)

*omit*

The

*insert*

Subject to these Rules, the

(2) Rule 77.02(4)(a), (b), (c) and (g)

*omit*

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(3) Rule 77.02(4)(n)

*omit, insert*

(n) an application under any of the following Acts:

(i) the *Criminal Property Forfeiture Act*,

(ii) the *Serious Crime Control Act*,

(iii) the *Vexatious Proceedings Act*.

## **8 Rule 77.04 amended**

(1) Rule 77.04(1)

*omit*

Where

*insert*

Subject to subrules (5) and (6), if

(2) After rule 77.04(4)

*insert*

(5) If it is reasonably practicable to do so, the Master must consult a Judge before hearing an interlocutory matter in a proceeding that:

(a) is being case flow managed by a Judge; or

(b) in the opinion of the Master, is proper for the determination of a Judge as mentioned in subrule (1).

(6) The Master must refer an application for a Mareva Order or Anton Pillar Order to a Judge under subrule (1) unless there are exceptional circumstances why the Master should hear and determine the application.

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**9 Rule 81A.02A inserted**

After rule 81A.02

*insert*

**81A.02A Authority of Master in criminal proceedings**

- (1) Subject to these Rules, the Master may exercise the powers and authority of the Court:
  - (a) in relation to a matter on an arraignment day as mentioned in rule 81A.14; and
  - (b) under the *Bail Act*.