

NORTHERN TERRITORY OF AUSTRALIA

SUPREME COURT AMENDMENT REGULATIONS 2011

Subordinate Legislation No. 48 of 2011

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NORTHERN TERRITORY OF AUSTRALIA

Subordinate Legislation No. 48 of 2011*

Supreme Court Amendment Regulations 2011

I, Sally Gordon Thomas, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Supreme Court Act*.

Dated 15 November 2011

S. G. THOMAS
Administrator

By Her Honour's Command

C. B. BURNS
Minister for Education and Training
acting for
Minister for Justice and Attorney-General

* Notified in the *Northern Territory Government Gazette* on 23 November 2011.

1 Citation

These Regulations may be cited as the *Supreme Court Amendment Regulations 2011*.

2 Regulations amended

These Regulations amend the *Supreme Court Regulations*.

3 Regulation 5 replaced

Regulation 5

repeal, insert

5 Waiver or deferral of fee, or payment by instalment, in case of financial hardship

- (1) If a Registrar is of the opinion that the payment of a fee specified in the Schedule would cause financial hardship to the party who must pay the fee, the Registrar may do one or more of the following:
 - (a) waive payment of the whole or part of the fee;
 - (b) defer payment of the whole or part of the fee;
 - (c) permit the party to pay the fee in instalments.
- (2) The Registrar may grant a waiver or deferral or permission under subregulation (1) on conditions the Registrar considers appropriate, and may change those conditions at any time by notice to the party.
- (3) The Registrar may cancel a deferral or permission at any time by notice to the party, in which case any part of the fee that remains outstanding becomes immediately payable.
- (4) A party to whom a deferral or permission has been granted cannot, without leave of the Court, lodge either of the following if any part of the fee remains unpaid:
 - (a) an application for leave to discontinue the proceeding;
 - (b) if leave is not required – a notice of discontinuance of the proceeding.
- (5) If an amount is not paid when it becomes due under this regulation:
 - (a) the party liable to pay the amount cannot take any further step in the proceeding without the leave of the Court until the amount is paid; and

(b) the amount may be recovered as a debt due to the Territory.

4 Regulations further amended

The Schedule has effect.

Schedule Regulations further amended

regulation 4

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
regulation 2	Regulations <i>Taxing</i>	Regulations: <i>Taxing</i>
regulation 3, heading	in respect of	for
regulation 3(1)	regulation, <i>prescribed</i>	regulation: <i>prescribed</i>
regulation 3(1), (3), (4) and (5)	in respect of (<i>all references</i>)	for
regulation 3(7)(b)	Master,	Master;
regulation 4, heading	in respect of	for
regulation 4(1)	in respect of	for
regulation 4(2)(a), (b), (c) and (d)	in relation to	for
regulation 4(2)(a), (b) and (c), at the end		or