

**NORTHERN TERRITORY OF AUSTRALIA**  
**LOCAL COURT (CIVIL JURISDICTION) AMENDMENT RULES 2017**

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**Subordinate Legislation No. 24 of 2017**

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### *Local Court (Civil Jurisdiction) Amendment Rules 2017*

I, John Allan Lowndes, Chief Judge, and the Judges specified below, under section 48(1) of the *Local Court Act*, make the following rules.

Dated 29 May 2017

J. A. LOWNDES  
Chief Judge

J. M. R. NEILL  
Judge

T. P. FONG LIM  
Judge

A. WOODCOCK  
Judge

J. W. A. BIRCH  
Judge

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**1 Citation**

These Rules may be cited as the *Local Court (Civil Jurisdiction) Amendment Rules 2017*.

**2 Rules amended**

These Rules amend the *Local Court (Civil Jurisdiction) Rules*.

**3 Rule 1.09 amended**

Rule 1.09

*insert (in alphabetical order)*

**law practice**, see section 4 of the *Legal Profession Act*.

**4 Rule 3.05 amended**

(1) Rule 3.05(2)(f)

*omit*

legal practitioner who

*insert*

law practice that

(2) Rule 3.05(2)(f)

*omit*

a legal practitioner

*insert*

a law practice

**5 Rule 6.06 replaced**

Rule 6.06

*repeal, insert*

**6.06 Address for service**

(1) The address for service of a plaintiff is:

(a) if the plaintiff sues in person – an address within 50 kilometres of the registry at which the originating process is filed, as

- 
- stated in the originating process; or
- (b) if the plaintiff sues by a law practice – the business address in Australia of the law practice.
- (2) The address for service of a defendant is:
- (a) if the defendant defends in person – an address within 50 kilometres of the registry at which the notice of defence or notice of admission is filed, as stated in the notice of defence or notice of admission; or
- (b) if the defendant defends by a law practice – the business address in Australia of the law practice.
- (3) If the business address of the law practice mentioned in subrule (1)(b) or (2)(b) is more than 50 kilometres from the appropriate registry, the law practice must instead provide the address of a law practice within 50 kilometres of the registry.
- (4) A party, a party's law practice, or an agent of a law practice, may include in the address for service a number for facsimile transmission, or an email address, by which service of documents may be effected.

## **6 Rule 6.07 amended**

- (1) Rule 6.07(1)(d) and (e)
- omit*
- legal practitioner
- insert*
- law practice
- (2) Rule 6.07(1)(e), after "transmission"
- insert*
- or email

## **7 Rule 7.01 amended**

- Rule 7.01(1), after "claim"
- insert*
- , together with a list of documents as specified in rule 16.02,

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**8 Rule 7.02 amended**

(1) Rule 7.02(2)(d)

*omit, insert*

(d) if the plaintiff sues by a law practice:

(i) state the name, the business address in Australia and the telephone, facsimile and reference numbers of the law practice; and

(ii) if the law practice is the agent of another law practice (the ***principal law practice***) – state the name, business address, telephone, facsimile and reference numbers of the principal law practice; and

(2) Rule 7.02(2)(a) to (c) and (e)(i) to (iii), at the end

*insert*

and

(3) Rule 7.02(3)

*omit, insert*

(3) A statement of claim may, in addition to stating a business address for a law practice, also state the postal address of the law practice.

**9 Rule 7.05 amended**

Rule 7.05, after "8A"

*insert*

, and a copy of the list of documents as specified in rule 16.02,

**10 Rule 7.06 amended**

Rule 7.06(1) and (2)

*omit*

12

*insert*

6

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**11 Rule 7.07 amended**

Rule 7.07(1)

*omit*

Division.

*insert*

Division, together with a list of documents as specified in rule 16.02.

**12 Rule 7.08 amended**

(1) Rule 7.08(1)(d)

*omit, insert*

(d) if the applicant is represented by a law practice:

(i) state the name, the business address in Australia and the telephone, facsimile and reference numbers of the law practice; and

(ii) if the law practice is the agent of another law practice (the **principal law practice**) – state the name, business address, telephone, facsimile and reference numbers of the principal law practice; and

(2) Rule 7.08(2)

*omit, insert*

(2) An originating application between parties may, in addition to stating a business address for a law practice, also state the postal address of the law practice.

**13 Rule 7.09 amended**

(1) Rule 7.09(a), at the end

*insert*

and

(2) After Rule 7.09(a)

*insert*

(ab) a copy of a list of documents as specified in rule 16.02; and

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**14 Rule 7.11 amended**

(1) Rule 7.11(2)(c)

*omit, insert*

(c) if the respondent is represented by a law practice:

(i) state the name, the business address in Australia and the telephone, facsimile and reference numbers of the law practice; and

(ii) if the law practice is the agent of another law practice (the ***principal law practice***) – state the name, business address, telephone, facsimile and reference numbers of the principal law practice; and

(2) Rule 7.11(2)(a) and (b), at the end

*insert*

and

(3) Rule 7.11(3)

*omit, insert*

(3) A notice of intention to appear may, in addition to stating a business address for a law practice, also state the postal address of the law practice.

**15 Rule 7.13 amended**

(1) Rule 7.13(1)(b)

*omit, insert*

(b) if the applicant is represented by a law practice:

(i) state the name, the business address in Australia and the telephone, facsimile and reference numbers of the law practice; and

(ii) if the law practice is the agent of another law practice (the ***principal law practice***) – state the name, business address, telephone, facsimile and reference numbers of the ***principal law practice***; and



- 
- (2) Rule 7.13(1)(a),(c) and (d), at the end

*insert*

and

- (3) Rule 7.13(2)

*omit, insert*

- (2) An originating application may, in addition to stating a business address for a law practice, also state the postal address of the law practice.

#### **16 Rule 8.01 amended**

Rule 8.01, after "defence"

*insert*

, together with a list of documents as specified in rule 16.02,

#### **17 Rule 8.02 amended**

- (1) Rule 8.02(1)(d)

*omit, insert*

(d) if the defendant acts by a law practice:

(i) state the name, the business address in Australia and the telephone, facsimile and reference numbers of the law practice; and

(ii) if the law practice is the agent of another law practice (the ***principal law practice***) – state the name, business address, telephone, facsimile and reference numbers of the principal law practice; and

- (2) Rule 8.02(1)(a) to (c) and (e), at the end

*insert*

and

- (3) Rule 8.02(2)

*omit, insert*

- (2) A notice of defence may, in addition to stating a business address for a law practice, also state the postal address of the law practice.

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**18 Rule 16.01 amended**

Rule 16.01(1)

*omit*

all words from "Not" to "filed,"

*insert*

At the time of filing their respective statement of claim, originating application or notice of defence,

**19 Rule 22.12 amended**

Rule 22.12(1)(a) and (b)

*omit*

legal practitioner

*insert*

law practice

**20 Rule 32.01 amended**

Rule 32.01(2)

*omit*

35

*insert*

21

**21 Rule 38.04 replaced**

Rule 38.04

*repeal, insert*

**38.04 Costs generally to be allowed at 100% of the Supreme Court costs**

- (1) Subject to these Rules, costs for work done are allowable in accordance with the relevant costs set out in the Appendix.
- (2) For subrule (1), the value of the claim is immaterial.

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**22 Rule 38.05 amended**

Rule 38.05

*omit*

Subject to rule 38.04 and unless

*insert*

Unless

**23 Rule 38.08 repealed**

Rule 38.08

*repeal*

**24 Expiry of Rules**

These Rules expire on the day after they commence.