

NORTHERN TERRITORY OF AUSTRALIA
AMENDMENTS OF SUPREME COURT RULES

Regulations 2000, No. 50

TABLE OF PROVISIONS

Rule

1. Principal Rules
2. Authority
3. Limitation on authority
4. Repeal and substitution
77.05 Appeal
5. Appeal from Master
6. Repeal and substitution
83.04 Time for appeal
7. Time for filing application



NORTHERN TERRITORY OF AUSTRALIA

Regulations 2000, No. 50*

Rules of Court under the *Supreme Court Act*

WE, the undersigned Judges of the Supreme Court of the Northern Territory of Australia, in pursuance of section 86 of the *Supreme Court Act*, make the following Rules of Court.

Dated 5 October 2000.

D. N. ANGEL J

S. R. BAILEY J

S. G. THOMAS J

T. J. RILEY J

Judges of the Supreme Court
of the Northern Territory of Australia

* Notified in the *Northern Territory Government Gazette* on 18 October 2000.

Supreme Court Rules

AMENDMENTS OF SUPREME COURT RULES

1. Principal Rules

The Supreme Court Rules are in these Rules referred to as the Principal Rules.

2. Authority

Rule 77.01 of the Principal Rules is amended –

(a) by inserting after subrule (1)(b)(ii) the following:

"(iii) the *Real Property Act* for the extension of a caveat;"

(b) by omitting from subrule (1)(b)(vii) "or";

(c) by omitting from subrule (1)(b)(viii) "and" (last occurring);

(d) by adding at the end of subrule (1)(b) the following:

"(ix) the *Partnership Act*;

(x) the *De Facto Relationships Act*;"

(e) by omitting from subrule (1)(c)(ii) "purchase money." and substituting "purchase money;" and

(f) by adding at the end of subrule (1) the following:

"(d) conduct the trial of a proceeding if all the parties to the proceeding consent to the Master conducting the trial;

(e) conduct the trial of a proceeding if the only matters in issue are the amount of damages, or the value of goods, and costs;

(f) conduct the trial of an action for personal injuries, which may include hearing and determining issues of liability and damages;

(g) hear and determine an application for the extension of a limitation period;

(h) hear and determine an application for the possession of land; and

(j) hear and determine a matter referred to the Master by the Court of Appeal or a Judge."

3. Limitation on authority

Rule 77.02 of the Principal Rules is amended –

Supreme Court Rules

- (a) by omitting from subrule (1) "77.01(1)(b)" and substituting "77.01(1)(b), (d), (e) and (f)"; and
- (b) by omitting subrule (4)(f) and substituting the following:
 - "(f) a question of construction arising under an instrument where the sole purpose of the proceeding is to determine that question;"

4. Repeal and substitution

Rule 77.05 of the Principal Rules is repealed and the following substituted:

"77.05 Appeal

"(1) Except as otherwise provided by these Rules or an Act, a person affected by a judgment given or order made under this Chapter by the Master or a Registrar may appeal to –

- (a) in the case of a final judgment or order – a Judge; or
- (b) in the case of an interlocutory judgment or order – a Judge but only with the leave of a Judge.

"(2) An appeal under this rule is an appeal in the strict sense."

5. Appeal from Master

Rule 78.07 of the Principal Rules is amended by omitting "Rules 77.05 and 77.06 apply" and substituting "Rule 77.05 applies".

6. Repeal and substitution

Rule 83.04 is repealed and the following substituted:

"83.04 Time for appeal

"An appeal is to be instituted within 28 days after –

- (a) the material date; or
- (b) the date on which leave to appeal is granted."

7. Time for filing application

Rule 83.23 of the Principal Rules is amended by omitting from subrule (1)(a) "28 days" and substituting "7 days".

