

NORTHERN TERRITORY OF AUSTRALIA

Regulations 1990, No. 51*

Rules of Court under the *Corporations*
(*Northern Territory*) Act

We, the undersigned Judges of the Supreme Court of the Northern Territory of Australia, in pursuance of section 51 of the *Corporations (Northern Territory) Act*, hereby make the following Rules of Court.

Dated 18 December 1990.

A. Asche CJ

J. Nader J

B. Martin J

D. Angel J

Judges of the
Supreme Court of the
Northern Territory
of Australia

SUPREME COURT (CORPORATIONS LAW)
INTERIM RULES

1. CITATION

These Rules may be cited as the Supreme Court (Corporations Law) Interim Rules.

2. COMMENCEMENT

These Rules shall come into operation on the commencement of the *Corporations (Northern Territory) Act*.

3. APPLICATION

These Rules apply to all proceedings seeking any relief under the Corporations law.

* Notified in the *Northern Territory Government Gazette* on 21 December 1990.

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Supreme Court (Corporations Law) Interim Rules

4. APPLICATION OF SUPREME COURT (COMPANIES) RULES

(1) The Supreme Court (Companies) Rules, as in force from time to time, apply, with the necessary changes, to and in relation to proceedings to the Court seeking any relief under the Corporations Law.

(2) For the purposes of subrule (1), unless the contrary intention appears, a reference in the Supreme Court (Companies) Rules -

(a) to -

"the Code" shall be construed as a reference to the Corporations Law;

"the Commission" and "the Commissioner" shall be construed as a reference to the Australian Securities Commission established under the *Australian Securities Commission Act 1989* of the Commonwealth; and

(b) to a section of the Code shall be construed, where possible, as a reference to an appropriate or relevant section of the Corporations Law.

5. PROCEDURE WANTING OR IN DOUBT

(1) Where the manner or form of the procedure -

(a) for commencing or for taking a step in a proceeding; or

(b) by which the jurisdiction, power or authority of the Court is exercisable,

is not prescribed by the Supreme Court (Companies) Rules, as applied by these Rules, an application may be made in accordance with this rule to the Master of the Court who shall determine what procedure is to be adopted and may give directions.

(2) An act done in accordance with a determination or direction under subrule (1) is regular and sufficient.

(3) An application for directions under this rule with respect to the commencement of a proceeding shall be made by originating motion in which no person is named as the defendant and an application for directions with respect to a proceeding already commenced shall be made by summons.
