

SUPREME COURT RULES (AMENDMENT No. 283) 1994*

NEW SOUTH WALES



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1. These rules are made by the Rule Committee on 21 March 1994.
2. The Supreme Court Rules 1970 are amended as follows:
 - (a) Part 4 rule 2 (1)
 - (i) Omit “.” and insert instead “; or”.
 - (ii) After paragraph (d) insert:
 - (e) where a claim is made by the plaintiff in proceedings for possession of land.
 - (b) Part 4 rule 2 (2)
 - (i) After paragraph (d) insert “or”.
 - (ii) Omit paragraph (e).
3. The Supreme Court Rules 1970 are further amended as follows:
 - (a) Part 33 rule 8A (2)
 - (i) From subparagraph (d) (iv), omit “and”.
 - (ii) From subparagraph (d) (v), omit “;” and insert instead “; and”.
 - (iii) After subparagraph (d) (v), insert:
 - (vi) particulars of any claim in respect of services of a domestic nature or services relating to nursing or attendance,
 - (iv) After subparagraph (e) (iii) insert:
 - (iv) reports, contracts, correspondence and award rates relied on to support any claim in respect of services of a domestic nature or services relating to nursing and attendance; and

* See correction notice published in G.G. No. 56 of 8.4.94. p. 1581 (1994—124).

4. The Supreme Court Rules 1970 are further amended as follows:

(a) Part 60 rule 1A

After subrule (6) insert:

(7) The generality of the powers granted by subrule (6) shall not be restricted by reason of the grant under subrule (1) of specific powers.

(b) SCHEDULE D Part 1

(i) In the matter relating to Act No. 47, 1988, add before the reference to section 52 (3), 52 (4):

In Column 1—	In Column 2—	In Column 3—
Section 28B (5)	Extension of time for giving notice	
Section 28B (7), (8)	Joinder of Nominal Defendant	
Section 42 (4)	Explanation for non compliance
Section 42 (5)	Allow proceedings to continue
Section 43A (4). 44B	Strike out proceedings
Section 48	Co-operation with person against whom claim made and the person's insurer

(ii) In the matter relating to Act No. 47, 1988, add after the matter relating to section 52 (3), 52 (4):

In Column 1—	In Column 2—	In Column 3—
Section 66A (1)	Joinder of insurer

(c) SCHEDULE D Part 1

After the matter relating to Act No. 219, 1986, insert:

In Column 1—	In Column 2—	In Column 3—
Act No. 70, 1987; Workers Compensation Act 1987:		
Section 151A (5)	Leave to revoke election
Section 151C	Commencing proceedings
Section 151D	Commencing proceedings

EXPLANATORY NOTE

(This note does not form part of the rules)

1. The object of the amendment contained in paragraph 2 is to require proceedings for possession of land to be instituted by statement of claim.
2. The object of the amendment contained in paragraph 3 is to require particulars of claims in respect of services of a domestic nature or services relating to nursing or attendance and supporting documents to be given by plaintiffs in personal injury cases at the same time as other particulars and documents required by Part 33 rule 8A.
3. The object of the amendments contained in paragraph 4 is to make specific reference to various powers of the Court, under the Motor Accidents Act 1988 and under the Workers Compensation Act 1987, which are exercised by masters.

M. A. Blay, Secretary of the Rule Committee