



New South Wales

# Compensation Court Rule (Commencement of Proceedings by Summons) 1998

under the

Compensation Court Act 1984

The Compensation Court Rule Committee made the following rule of court under the *Compensation Court Act 1984* on 5 February 1998.

S Davidson

Secretary of the Rule Committee

## Explanatory note

The object of this Rule is to amend the *Compensation Court Rules 1990* to provide for the commencement of proceedings by way of Summons and to establish a procedure for dealing with applications under section 52B of the *Workers compensation Act 1987*.

## 1998 No 116

Clause 1 Compensation Court Rule (Commencement of Proceedings by Summons) 1998

Schedule 1 Amendments

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# Compensation Court Rule (Commencement of Proceedings by Summons) 1998

## 1 Name of Rule

This Rule is the *Compensation Court Rule (Commencement of Proceedings by Summons) 1998*.

## 2 Commencement

This Rule commences on 6 March 1998.

## 3 Amendment of Compensation Court Rules 1990

The *Compensation Court Rules 1990* are amended as set out in Schedule 1.

## 4 Notes

The explanatory note does not form part of this Rule.

## Schedule 1 Amendments

(Clause 3)

### [1] Part 5

After Part 5, rule 11, insert:

#### **Division 2A Proceedings commenced by summons**

##### **11A Application and Procedure**

- (1) This Division applies to proceedings commenced by summons.
- (2) For the purposes of Division 1 of Part 5, a Summons is an originating process.

- (3) The procedure for the hearing and disposal of a Summons shall be as near as practicable to that applicable to the hearing and disposal of a notice of motion in accordance with the provisions of Part 14 (2), (3), (4) and (5).

**11B Particular proceedings commenced by summons**

- (1) Proceedings under section 52B(1) of the *Workers Compensation Act 1987* shall be commenced by the filing of a Summons.
- (2) Proceedings under sections 52B(3), (6) and (8) of the *Workers Compensation Act 1987* shall be commenced by way of notice of motion in the proceedings to which the application relates.



New South Wales

# Compensation Court Rule (Issuing of Subpoenas) 1998

under the

Compensation Court Act 1984

The Compensation Court Rule Committee made the following rule of court under the *Compensation Court Act 1984* on 5 February 1998.

S Davidson

Secretary of the Rule Committee

## Explanatory note

The object of this Rule is to amend the *Compensation Court Rules 1990* to widen the category of Court Officer who may issue a subpoena.