

## EXPLANATORY STATEMENT

Subordinate Law 2000 No. 40

Issued by the Authority of the Judges of the  
Supreme Court of the Australian Capital Territory

### CORPORATIONS LAW RULES 2000 AMENDMENT

The resident Judges of the Court (of whom there are currently three, including the Chief Justice) or any two of the resident Judges, may make Rules of Court for regulating the practice and procedure of the Court pursuant to Section 36 of the *Supreme Court Act 1933*.

The Corporations Act 1989 provides that the Judges of the Federal Court of Australia (section 60) and the Supreme Court of each State and the Capital Territory (section 61) may make rules with respect to proceedings under the Corporations Law.

The Corporations Law Rules are a model set of rules which were drafted by a committee of judges of the Federal Court and the State and Territory Supreme Courts.

The ACT Rules were based primarily upon the Corporations Law Rules 2000 (Cth) which apply in the Federal Court.

The ACT Corporations Law Rules 2000 do not enable the Master or Registrar to exercise the power of the Court relating to the reinstatement of a deregistered company. Prior to the Corporations Law Rules commencing on 3 April 2000 both the Registrar and the Master could exercise the power to reinstate a deregistered company. The amendment confers the power again upon the Master and Registrar to reinstate a deregistered company pursuant to section 601 AH(2).

Schedule 1 is amended to delete an incorrect reference to adoption proceedings in the form.