

EXPLANATORY STATEMENT

Supreme Court Amendment Rules 2002 (No 2)

Subordinate Law SL2002-24

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

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

These rules amend Orders 39 and 40 of the Supreme Court Rules and introduce a form of affidavit.

The amendment to Order 39 rule 24H introduces a requirement for an application for an order, relating to the taking of evidence for interstate and foreign courts and tribunals, to be made by motion.

The balance of the rules amendment deals with amendments to Order 40, dealing primarily with the form of affidavits generally (Order 40 rule 2), annexures to affidavits (a new Order 40 rule 4 (1A) and (1B)) and exhibits to affidavits (Order 40 rule 4 (4) and (5)).

New forms are introduced, prescribing a form of affidavit, a form of annexure clause and a certificate identifying an exhibit.