

## Explanatory Statement

Court Procedures Amendment Rules 2018 (No 1)

Subordinate Law SL2018-25

Issued by the Authority of the Rule-Making Committee

The Rule-Making Committee (currently comprising the Chief Justice, Justice Elkaim, Chief Magistrate Walker and Magistrate Morrison) may make rules in relation to the practice and procedure of ACT courts and their registries pursuant to section 7 of the *Court Procedures Act 2004*. The Courts and the Joint Rules Advisory Committee have conducted a consultative review of the rules which has resulted in the amendments contained in the *Court Procedures Amendment Rules 2018 (No 1)*.

Rules 2353 and 2358 (Earnings redirection order) have been amended to ensure that any order will not reduce the total earnings of the enforcement debtor to an amount that is less than 80% of the debtor's net earnings.

A number of rules have been amended (including rules 6121, 6126) and new rules introduced (rules 6103(4A), 6120(2), 6124) in relation to the filing of documents electronically. In addition, a new Division 6.3.2A (Documents filed electronically) has been introduced relating to the keeping of original documents, the signing, sealing and stamping of documents filed electronically and the issue of documents electronically by the Court.

A number of minor or consequential amendments have also been made throughout the rules, including definitions in the dictionary section to the rules.

The rules will commence on 1 January 2019.