



Australian Capital Territory

Supreme Court Rules¹ (Amendment)

Subordinate Law No. 4 of 1996²

We, Judges of the Supreme Court, make the following Rules of Court under section 36 of the *Supreme Court Act 1933*.

Dated 25 March 1996.

JEFFREY MILES

Chief Justice

J F GALLOP

Judge

T J HIGGINS

Judge

A G TOWILL

Registrar

Commencement

1. These Rules commence on the day on which they are notified in the *Gazette*.

Where parties differ

2. Rule 58 of Order 65 of the Supreme Court Rules is amended by omitting subrules (3) and (4) and substituting the following subrules:

“(3) Service of a bill shall be effected in accordance with Order 67 rule 2 at least 6 weeks before the day on which the bill is to be taxed.

“(4) A party on whom a bill is served may by notice object to any item in the bill.

“(4A) A notice under subrule (4) shall—

- (a) list each item or part of an item which is objected to;
- (b) state shortly but specifically the nature and ground of each objection;
- (c) state the amount which it is contended should be taxed off; and
- (d) be filed and served on the party entitled to costs and on any other interested party not later than 7 days before the day on which the bill is to be taxed.

“(4B) Subject to the discretion of the taxing officer to be exercised in exceptional circumstances, on the taxation of a bill no amount is to be taxed off, and no objection is to be allowed, unless the relevant amount is, or the relevant item, or relevant part of an item, and the relevant ground are (as the case requires) set out in a notice under subrule (4).

“(4C) The taxing officer has a discretion to—

- (a) tax, or fix a lump sum in respect of, the costs of a notice under subrule (4) or of any objection; and
- (b) add to, or deduct from, any sum payable by or to a party to the taxation those taxed costs or a part of those taxed costs, or that lump sum (as the case requires).”.

NOTES

Principal Rules

1. Reprinted as at 31 January 1996.

Supreme Court No. 4, 1996

Notification

2. Notified in the ACT Gazette on 29 March 1996.

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