



Australian Capital Territory

Supreme Court Amendment Rules 2005 (No 1)

Subordinate Law SL2005-26

We, members of the rule-making committee, make the following rules of court under the *Court Procedures Act 2004*, section 7.

Dated 26 September 2005.

T J Higgins

Chief Justice

K J Crispin

President of the Court of Appeal

T Connolly

Judge

R Cahill

Chief Magistrate

M Some

Magistrate

J2005-795

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au



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Supreme Court Amendment Rules 2005 (No 1)

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made under the

Court Procedures Act 2004

1 Name of rules

These rules are the *Supreme Court Amendment Rules 2005 (No 1)*.

2 Commencement

These rules commence on 1 October 2005.

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

3 Legislation amended

These rules amend the *Supreme Court Rules 1937*.

J2005-795

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

4 Order 86 new rules 90A and 90B

insert

**90A When court may be constituted by single judge—
Supreme Court Act 1933, s 37J (1) (h)**

The Court of Appeal may be constituted by a single judge in relation to hearing and deciding the dismissal of an appeal for any of the following reasons:

- (a) the appeal is incompetent;
- (b) the notice of appeal does not contain any coherent or arguable ground of appeal;
- (c) the appellant has failed to comply with any relevant rules of court or practice direction;
- (d) the appellant has failed to comply with a direction of the Court of Appeal;
- (e) the appellant has failed to provide security for costs in accordance with an order of the Court of Appeal.

**90B Jurisdiction that may be exercised by single judge—
Supreme Court Act 1933, s 37J (3)**

The jurisdiction and powers of the Court of Appeal may be exercised by a single judge in the following proceedings:

- (a) a motion moved by the director of public prosecutions under rule 55 (2);
- (b) an application by the applicant under rule 55 (3) (b).

Endnotes

1 Notification

Notified under the Legislation Act on 29 September 2005.

2 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

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