

Amendments to Rules of the High Court and Rules of the District Court gazetted

The following is issued on behalf of the Judiciary:

The Judiciary today (August 20) gazetted the Rules of the High Court (Amendment) Rules 2021 and the Rules of the District Court (Amendment) (No. 2) Rules 2021 (the Amendment Rules). The Amendment Rules seek a specific procedural improvement to civil proceedings in the High Court and the District Court to make summary judgment available for an action begun by writ which includes a claim based on an allegation of fraud.

Upon implementation of the legislative amendments, a party in an action begun by writ which includes a claim based on an allegation of fraud may apply for judgment at an early stage of the proceeding without a full trial on the basis that the other party has no defence, thereby enabling the party to obtain judgment as quickly as possible and minimise legal costs.

The legislative amendments would enhance the summary judgment regime and align with evolving legal practice in the interests of the parties in a litigation.

The Amendment Rules will be tabled at the Legislative Council on August 25 for negative vetting. Subject to the completion of the relevant legislative process, they will come into operation on December 1, 2021.