



New South Wales

# Local Court (Amendment No 12) Rule 2022

under the

Local Court Act 2007

The Local Court Rule Committee has made the following rules of court under the *Local Court Act 2007*.

THEO TSAVDARIDIS  
Deputy Chief Magistrate

## **Explanatory note**

The object of this Rule is to amend the *Local Court Rules 2009* to provide for the transfer of proceedings from the Local Court's General Division to the Court's Small Claims Division.

## **Local Court (Amendment No 12) Rule 2022**

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### **1 Name of Rule**

This Rule is the *Local Court (Amendment No 12) Rule 2022*.

### **2 Commencement**

This Rule commence on the day on which it is published on the NSW legislation website.

## **Schedule 1 Amendment of Local Court Rules 2009**

**[1] Rule 2.1**

Omit the rule. Insert instead—

**2.1 Application of Part**

This Part applies to—

- (a) proceedings in the Court sitting in the Court’s Small Claims Division, and
- (b) the transfer of proceedings to or from the Small Claims Division.

**[2] Rule 2.3, heading**

Omit “**from Small Claims Division to General Division**”.

Insert instead “**between Small Claims Division and General Division**”.

**[3] Rule 2.3(1)**

Insert “from the Court’s Small Claims Division” after “transfer proceedings”.

**[4] Rule 2.3(1A)**

Insert after rule 2.3(1)—

- (1A) The Court may, on the application of a party or of its own motion, transfer proceedings from the Court’s General Division to the Court’s Small Claims Division if, at any time before judgment is given, the Court is of the opinion that—
  - (a) any complex, difficult or important issues have been resolved, in whole or in part, or
  - (b) it is appropriate to do so.

**[5] Rule 2.3(3)**

Omit “subrule (1) or (2)”. Insert instead “this rule”.

**[6] Rule 2.10 Applications**

Insert “or Small Claims Division” after “General Division” in rule 2.10(2)(a).