

Industrial Relations Court Rules (Amendment) 1996 No. 220

EXPLANATORY STATEMENT

Statutory Rules 1996 No. 220

AMENDMENT TO THE RULES OF THE INDUSTRIAL RELATIONS COURT OF AUSTRALIA

Section 486 of the *Industrial Relations Act 1988* (the Act) permits the Judges of the Court (of whom there are ten including the Chief Justice) or a majority of them to make Rules of Court not inconsistent with the Act making provision for or in relation to the practice and procedure to be followed in the Court, including practice and procedure to be followed in Registries of the Court, and far or in relation to all matters and things incidental to any such practice or procedure, or necessary or convenient to be prescribed for the conduct of any business of the Court. Section 486 of the Act also provides that sections 48, 48A, 48B, 49 and 50 of the *Acts Interpretation Act 1901* apply in relation to these Rules of Court made under that section as if references in those sections of that Act to regulations were references to the Rules of Court.

The present Industrial Relations Court Rules came into operation on 14 October 1994. This amendment to the rules will come into operation on gazettal.

Rule 1 - Amendment

This rule provides that the Industrial Relations Court Rules are amended as set out in the following rules.

Rule 2 - Order 62, rule 1 (Determination of amount of costs)

This rule amends Order 62, rule 1, paragraph (a) to allow the Court to order or give directions that a scale of costs that is used to calculate costs in a court constituted under a Commonwealth or State law, must be used to calculate the costs. By adding the reference to State courts, the Court will have more flexibility in choosing an appropriate scale for calculating costs.