



Federal Court (Corporations) Amendment (Examination Summons) Rules 2015

Select Legislative Instrument No. 52, 2015

We, Judges of the Federal Court of Australia, make the following Rules.

Dated 22 April 2015

J.L.B. ALLSOP CJ
A.M. NORTH J
J.R. MANSFIELD J
J.A. DOWSETT J
S.C. KENNY J
A.N. SIOPIS J
R.F. EDMONDS J
A.P. GREENWOOD J
S.D. RARES J
B.J. COLLIER J
A.J. BESANKO J
C.N. JESSUP J
R.R.S. TRACEY J
J.E. MIDDLETON J
R.J. BUCHANAN J
J. GILMOUR J

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M.M. GORDON J
G.A. FLICK J
N.W. McKERRACHER J
J.E. REEVES J
N. PERRAM J
L.G. FOSTER J
M.L. BARKER J
J.V. NICHOLAS J
A.J. KATZMANN J
A. ROBERTSON J
B.M. MURPHY J
I.J.K. ROSS J
J.E. GRIFFITHS J
D.J.C. KERR J
L.K. FARRELL J
G. PAGONE J
J. DAVIES J
D.S. MORTIMER J
D.C. RANGIAH J
R.C. WHITE J
M.A. WIGNEY J
J.S. GLEESON J
M.A. PERRY J
J.B.R. BEACH J

Judges of the Federal Court
of Australia

W.G. Soden
Registrar

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1 Name

These are the *Federal Court (Corporations) Amendment (Examination Summons) Rules 2015*.

2 Commencement

These Rules commence on the day after they are registered.

3 Authority

These Rules are made under the *Federal Court of Australia Act 1976*.

4 Schedules

Each instrument that is specified in a Schedule to these Rules is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to these Rules has effect according to its terms.

Schedule 1—Amendments

Federal Court (Corporations) Rules 2000

1 Subrule 11.3(4)

Repeal the subrule, substitute:

- (4) If the originating process or interlocutory process, and supporting affidavit, are lodged with a Registry for filing (other than by being sent to the Registry by electronic communication), the originating process or interlocutory process, and the supporting affidavit, must be filed in a sealed envelope marked, as appropriate:
 - (a) “Application and supporting affidavit for issue of summons for examination under section 596A of the *Corporations Act 2001*”; or
 - (b) “Application and supporting affidavit for issue of summons for examination under section 596B of the *Corporations Act 2001*”.
- (4A) If the originating process or interlocutory process, and supporting affidavit, are sent by electronic communication to a Registry for filing, the originating process or interlocutory process, and supporting affidavit:
 - (a) must be marked “Confidential”; and
 - (b) must be accompanied by a statement that the originating process or interlocutory process, and supporting affidavit, are, as appropriate:
 - (i) “Application and supporting affidavit for issue of summons for examination under section 596A of the *Corporations Act 2001*”; or
 - (ii) “Application and supporting affidavit for issue of summons for examination under section 596B of the *Corporations Act 2001*”.