



Federal Court (Corporations) Amendment (Publication of Notices) Rules 2017

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

Dated 13 March 2017

J.L.B. ALLSOP CJ
A.M. NORTH J
J.A. DOWSETT J
S.C. KENNY J
A.N. SIOPIS 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
J. GILMOUR J
J.A. LOGAN J
G.A. FLICK J
N.W. McKERRACHER J
J.E. REEVES J
N. PERRAM J
J.M. JAGOT J
L.G. FOSTER J
M.L. BARKER J
J.V. NICHOLAS J
D.M. YATES J
M. BROMBERG J
A.J. KATZMANN J
A. ROBERTSON J
B.M. MURPHY J
J.E. GRIFFITHS J
D.J.C. KERR J
L.K. FARRELL J

T. PAGONE J
J. DAVIES J
D.S. MORTIMER J
D.C. RANGIAH J
R.C. WHITE J
M.A. WIGNEY J
M.A. PERRY J
J.S. GLEESON J
J.B.R. BEACH J
B.S. MARKOVIC J
M.K. MOSHINSKY J
R.J. BROMWICH J
N. CHARLESWORTH J
S.C.G. BURLEY J
D.J. O'CALLAGHAN J

**Judges of the
Federal Court of Australia**

**W.G. Soden
Chief Executive Officer and Principal Registrar**

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1 Name

These Rules are the *Federal Court (Corporations) Amendment (Publication of Notices) Rules 2017*.

2 Commencement

- (1) Each provision of these Rules specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of these Rules	The day after these Rules are registered.	16 March 2017

Note: This table relates only to the provisions of these Rules as originally made. It will not be amended to deal with any later amendments of these Rules.

- (2) Any information in column 3 of the table is not part of these Rules. Information may be inserted in this column, or information in it may be edited, in any published version of these Rules.

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Each instrument that is specified in a Schedule to these Rules is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to these Rules has effect according to its terms.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 3.4(2)

Repeal the subrule, substitute:

- (2) Unless the Court otherwise orders, the plaintiff must publish a notice of the hearing of the application:
 - (a) for an application in relation to one Part 5.1 body—in a daily newspaper circulating generally in the State or Territory where the Part 5.1 body has its principal, or last known, place of business; or
 - (b) for an application in relation to 2 or more Part 5.1 bodies—in a daily newspaper circulating generally in each State or Territory where any of the Part 5.1 bodies has its principal, or last known, place of business.

2 At the end of rule 5.6

Add:

- (3) If the notice is of an application for an order under Part 2F.1 of the Corporations Act, the notice must be published in a daily newspaper circulating generally in the State or Territory where the company has its principal, or last known, place of business.

Note: A notice of an application for an order under Part 5.4 or 5.4A of the Corporations Act must be published in the prescribed manner: see sections 465A and 1367A of the Corporations Act.

3 Subrule 5.10(2)

Repeal the subrule, substitute:

- (2) The notice must be in accordance with Form 10.
- (3) Unless otherwise directed by the Court, the notice must be published:
 - (a) at least 7 days before the date fixed for the hearing of the application; and
 - (b) in a daily newspaper circulating generally in the State or Territory where the company has its principal, or last known, place of business.

4 At the end of subrule 5.11(3)

Add “in a daily newspaper circulating generally in the State or Territory where the company has its principal, or last known, place of business”.

5 At the end of subrule 6.2(3)

Add “in a daily newspaper circulating generally in the State or Territory where the company has its principal, or last known, place of business”.

6 Subrule 7.9(1)

After “a surplus”, insert “in relation to a company”.

7 At the end of subrule 7.9(2)

Add “in a daily newspaper circulating generally in the State or Territory where the company has its principal, or last known, place of business”.