



# Supreme Court of Victoria

## Practice Note SC CC 9

### Regulatory and Civil Penalties List

#### 1. INTRODUCTION

- 1.1 The Chief Justice has authorised the issue of the following Practice Note.
- 1.2 The purpose of this Practice Note is to establish a new Regulatory and Civil Penalties List and provide guidance on certain procedures to be followed for proceedings commenced in that list.
- 1.3 Matters suitable for management in the Regulatory and Civil Penalties List include proceedings concerning commercial activities, business transactions or community undertakings which are initiated by, or involve actions undertaken by, federal or state regulators. Proceedings involving regulatory or civil penalty actions by the Environment Protection Authority, Victorian Legal Services Board & Commissioner, WorkSafe Victoria and the Labour Hire Licensing Authority should continue to be initiated in the Common Law Division and be subject to applicable Practice Notes of that division.
- 1.4 The procedures adopted in the Regulatory and Civil Penalties List are intended to facilitate the just, efficient, timely and cost-effective conduct of regulatory proceedings. Parties will be expected to facilitate the preparation and presentation of applications and trials in the Regulatory and Civil Penalties List on an expedited basis.

#### 2. COMMENCEMENT

- 2.1 This Practice Note was issued on 24 April 2026 and will commence with the commencement of the Regulatory and Civil Penalties List on 1 May 2026.
- 2.2 The Judge-in-Charge of the Regulatory and Civil Penalties List is Justice Craig.

### **3. CONCISE STATEMENT, AFFIDAVIT OR STATEMENT OF CLAIM**

- 3.1 A plaintiff may commence proceedings in this List by filing an originating process in the Regulatory and Civil Penalties List in the Commercial Court.
- 3.2 Material supporting the originating process must take one (or more) of the following forms:<sup>1</sup>
- (a) a document entitled 'concise statement' in the form attached to this notice; or
  - (b) a statement of claim or affidavit as required by the *Supreme Court (General Civil Procedure) Rules 2025 (Vic)* or *Supreme Court (Corporations) Rules 2023 (Vic)*, as applicable.
- 3.3 The purpose of a concise statement is to enable the plaintiff to bring to the attention of the defendant and the Court the key factual and legal issues at the heart of the dispute and the relief sought from the Court in narrative form. If a concise statement is filed with the originating process, no further originating material in support (whether by statement of claim or affidavit) is required to be filed unless the Court is later of the view that such a step is necessary and consistent with the objectives of the *Civil Procedure Act 2010 (Vic)*.
- 3.4 The title of proceedings filed in this List should nominate the Regulatory and Civil Penalties List and be filed in the Commercial Court.
- 3.5 On RedCrest practitioners/parties initiating a proceeding should select:
- (a) "Commercial Court (Judge Managed)" in the Case Type field; and
  - (b) if using a concise statement, "Subsequent filing – statement" in the document type field.

### **4. CASE MANAGEMENT**

- 4.1 Within 14 days of commencement, the Judge-in-Charge of the Regulatory and Civil Penalties List will list the proceeding for Initial Directions.
- 4.2 At the Initial Directions hearing the parties should address: any issues of joinder; whether document production is necessary prior to evidence; the likely topics of any expert evidence; and the utility of mediation. In addition to those matters, the Court will also consider:
- (a) appropriately tailored case management orders, by consent or otherwise;
  - (b) if proceedings have commenced with an originating process supported by a concise statement, the desirability of, and appropriate time-frame for, the defendant to file a concise statement in response; and

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<sup>1</sup> Dispensation with r 2.4(1) of the *Supreme Court (Corporations) Rules 2023 (Vic)* can be granted where necessary at the Initial Directions Hearing.

- (c) where appropriate, the timing of the trial (including any need for an expedited or truncated hearing process), the parties' present estimates of trial length and their available dates for trial.
- 4.3 Having regard to the diverse types of regulatory proceedings and available relief, trials will be heard by judges from within divisions of the Court with expertise appropriate and relevant to the subject matter of the regulatory proceeding.

Vivienne Mahy  
Executive Associate to the Chief Justice  
24 April 2026

IN THE SUPREME COURT OF VICTORIA  
COMMERCIAL COURT  
REGULATORY AND CIVIL PENALTIES LIST

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BETWEEN

Plaintiff

and

Defendant

**CONCISE STATEMENT**

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Date of Document:

Solicitors Code:

Filed on behalf of:

Telephone:

Prepared by:

Ref:

Email:

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**Note:** The concise statement must be no longer than 5 pages long and clearly articulate in plain English the nature of the claim including the details required by the subheadings set out below.

- A. The important material facts giving rise to the claim**
- B. The legal basis for the relief sought**
- C. The relief sought from the Court and the party against whom the relief is sought**
- D. The alleged harm suffered by the plaintiff**

Date: