

Commercial Court



NOTICE TO THE PROFESSION 3/2009

TRANSFER OF CASES TO THE COMMERCIAL COURT

The Judicial Officers of the Commercial Court with the approval of the Chief Justice advise the profession as follows:

1. Proceedings pending as at 31 December 2008 as corporations cases and cases in the Commercial List have been automatically entered into the Commercial Court as stated in the Notice to Practitioners dated 12 December 2008.
2. Other proceedings in the Commercial and Equity Division may, upon the order of a judge, be entered into the Commercial Court. Any party to such a proceeding may apply to have the proceeding entered into the Commercial Court by filing a summons seeking:
 - (a) an order that the proceeding be entered into the Commercial Court; and
 - (b) directions.
4. The summons will be made returnable by the Registrar before one of the judges in the Commercial Court. The summons should be served on all other parties to the proceeding.
5. Applications for entry into the Commercial Court will generally be approved where the proceeding falls within the business of the Commercial Court: see Notice to Practitioners dated 12 December 2008. The parties can expect that the judge hearing the application will, if successful, allocate the proceeding to his or her list for management and trial.

6. Upon entry into the Commercial Court the moving party will pay the fee payable for entry of a proceeding into the Commercial List.

2 March 2009

Byrne J
Hargrave J
Judd J
Pagone J
Robson J

Efthim AsJ
Daly AsJ
Gardiner AsJ
Kings AsJ