



## Notice to the Profession

### Updated Practice Court procedures (Commercial Court)

From 29 February 2016, urgent applications involving a commercial dispute will no longer be heard in the Practice Court but instead will be dealt with in accordance with the procedures set out below.

During **ordinary business hours**, an application for genuinely urgent relief may be made as follows:

1. Where a proceeding has not yet been commenced or, if commenced, is not yet under management by a nominated judge, by contacting the Commercial Court Registry on 03 9603 4105. The application may, depending on the nature of the matter and judicial availability, either be referred to the Commercial Court Duty Judge or the Corporations List Managing Judge.
2. Where a proceeding is under management by a nominated judge, by contacting the associate to the judge and then informing the Commercial Court Registry of the allocated return date. If the associate to the managing judge is unavailable, practitioners should contact the Commercial Court Registry on the above number.

An application for urgent relief before the Commercial Court Duty Judge may be initiated **outside ordinary business hours** by calling the 'urgent applications' telephone number notified on the [Commercial Court page](#) of the Supreme Court website.

An applicant seeking urgent relief must be in a position to provide the person so contacted with the information set out in the Schedule to this Notice.

The protocols for making urgent applications in the Arbitration List as set out in [Practice Note 8 of 2014](#) continue to apply.

**Schedule****Information to be provided by party making urgent application**

	<b>Example only</b>
New proceeding	Yes/No
Existing proceeding	File number: S ECI 2015 123123
Applicant and legal representative	Name/Name Legal representative contact number:
Respondent and legal representative	Name/Name Legal representative contact number:
Nature of Application	E.g. Restraining order to prevent re-entry to premises by Respondent. Respondent alleges breaches of lease which are denied by Applicant who operates a business from the premises. Applicant seeks an interim injunction to prevent re-entry and disruption to business pending hearing and determination of substantive issues regarding lease conditions.
Reason for urgency	Respondent issued a Notice of intention to re-enter premises within 48 hours at 9am this morning and despite several discussions between the parties solicitors, the Respondent's solicitor has refused to give any assurance to delay re-entry pending hearing of substantial issues or give an undertaking as to damages.
On notice/ex parte/no respondent	On notice
Counsel briefed	H Rumpole of Old Bailey Chambers
Hearing estimate	1-2 hours
Preferred date(s) and time(s)	Tomorrow any time
When will documents be filed?	Today by 4pm