

NATIONAL COURT (MISCELLANEOUS AMENDMENTS) RULES 2021

EXPLANATORY MEMORANDUM

The amendment of **Order 1, Rule 6(2)** is to reflect the changes in interest rates applicable to the State effected by the *Judgments (Interest on Debts and Damages) Act 2015* which provides that the maximum award of interest against the State is 2%.

The introduction of a **new Division 2.8** relating to Court dress is to address the numerous complaints about inappropriate Court dress, collarless blouses, translucent tops, yellowed bibs or tabs, sandals etc.

The **new Division 2.9** clarifies the power of the Registrar to issue practice directions (which presently have no legislative basis).

Note that a proposal to regulate the appearance of newly admitted lawyers in the National Court so that at least for the first six months they are supervised by an experienced lawyer, has been abandoned due to many Judges expressing the view that it would involve an unwarranted restriction of a lawyer's right to practise conferred by the *Lawyers Act*.

JUSTICE CANNINGS
CHAIRMAN, RULES COMMITTEE
