



Amendments to the Conciliation and Arbitration Rules

Amendments to the Conciliation Rules and Arbitration Rules were published in the Government Gazette on 12 June 2015 and will be effective from 1 July 2015.

Conciliation Rules changes

Changes to the Conciliation Rules include amendments to:

- Rule 26 regarding the lodgement of documents; and
- the insertion of Rule 28A to allow for lodgement of documents by email.

The arrangements for the lodgement of documents by email are currently under development and users will be informed when that is available.

Arbitration Rules changes

Changes to the Arbitration Rules include amendments to:

- Rule 22, which now requires a Certificate of Service to be lodged with the Registrar for an Application to Extend Time to Lodge an Application for Arbitration (Form 152).
- Rule 25(4) and Rule 29(6), the timeframe has been changed from 14 days to 28 days.
- Rule 32, now provides a proceeding may be discontinued by a notice of discontinuance signed by all parties and lodged with the Registrar.
- Rule 37, now includes a requirement for a notice consenting to or opposing interlocutory applications.
- Rule 48, now requires an interlocutory application to be lodged for requests for order to produce documents.
- Rule 57, inserts subrule 2A confining, without leave of an arbitrator, oral evidence in chief of a witness to the witness statement lodged.

The amendments also delete Rule 31 regarding submissions on applications for leave to adduce late material, which is now covered by the amendments to Rule 37. The amendments also insert Rule 63A, requiring a party served with an application for an order

as to costs and/or for assessment of costs to lodge a notice consenting or opposing the application (Form 164A).

The following Arbitration approved forms have been amended to conform with the amendments to the Arbitration Rules:

- Form 152 – Application to Extend Time to Lodge an Application for Arbitration
- Form 156 – Interlocutory Application
- Form 156A – Notice Consenting or Opposing Interlocutory Application
- Form 158B – Order for Production of Documents or Material (now the Form 158)

The Form 158A – Request for Production of Documents or Material has been deleted and a new form has been introduced, the Form 164A – Notice Consenting or Opposing Application for Order and/or Assessment of Costs.
