

SUPREME COURT OF TASMANIA

PRACTICE DIRECTION

No. 15 of 2005

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The following Practice Direction is published by direction of the Chief Justice, the Honourable Justice Underwood AO.

EXAMINATIONS UNDER *CORPORATIONS ACT 2001*, ss596A AND 596B

The *Corporations Act 2001*, ss596A and 596B, empower the Court to summon persons for examination about the affairs of a corporation. In future, on applications for the issue of a summons under either of these provisions, subject to being satisfied that the issue of a summons is appropriate, the Court will ordinarily make an order under s597(15) for an examination to be conducted before the Magistrates Court of Tasmania. An order for a summons returnable before a judge of this Court will ordinarily only be made if the Court is satisfied that there are circumstances that make it inappropriate for an examination to be conducted before a magistrate, and more appropriate for an examination to be conducted before a judge.