

# SUPREME COURT OF TASMANIA

## CIRCULAR TO PRACTITIONERS

No. 10 of 2011

19 May 2011

### *Supreme Court Amendment (Miscellaneous) Rules (No 2) 2011 (SR 39/2011)*

Amendments to the *Supreme Court Rules 2000* rules were gazetted on 18 May 2011 and come into effect 21 days after gazettal, 8 June 2011.

### INTERROGATORIES

Within 14 days of receipt of interrogatories the party receiving them may notify the party administering them that some or all will not be answered unless administered with the leave of the Court or a judge.

Where a party in receipt of interrogatories notifies the party administering them within 14 days of receipt that they will not be answered without leave, no obligation to answer will arise other than pursuant to a grant of leave.

The Court or a judge may grant leave to a party to administer an interrogatory only if it is necessary or special reasons exist justifying its administration.

Where a party, within 14 days of receipt, fails to notify the party administering the interrogatories that some or all of them will not be answered unless administered with the leave of the Court or a judge, the interrogatories, in respect of which leave has not been required, must be answered or objection taken other than on the ground that the interrogatory is unnecessary.

### CROWN IMMUNITY

Rule 406(2) has been rescinded. It is noted that s9 *Crown Proceedings Act 1993* provides:

#### **9. Protection of confidentiality on grounds of public interest**

This Act does not affect any rule of law under which a person may refuse to –

(a) discover or produce documents; or

(b) answer an interrogatory or other question –

on the ground that to do so would be prejudicial to the public interest.

### CONTEMPT

An application for punishment for contempt of court, if made in a pending proceeding, may be made by interlocutory application, otherwise by originating application.

Elizabeth Knight  
REGISTRAR