



Queensland

# **Uniform Civil Procedure Amendment Rule (No. 1) 2012**

## **Explanatory Notes for SL 2012 No. 60**

made under the

*Supreme Court of Queensland Act 1991*

---

## **General outline**

### **Short title**

*Uniform Civil Procedure Amendment Rule (No. 1) 2012.*

### **Authorising law**

*Supreme Court of Queensland Act 1991*, section 118

### **Policy objectives and the reasons for them**

The Amendment Rule will make minor consequential amendments to the *Uniform Civil Procedure Rules 1999* (UCPR) required as a result of the new national scheme for the registration of business names.

The Amendment Rule will also make a minor technical amendment to Rule 278.

### **Achievement of policy objectives**

The Amendment Rule amends Rules 89-92 and Rule 113 by replacing references to the *Business Names Act 1962* with references to the 'Business

Names Register'. Upon commencement of schedule 1 of the *Business Names (Commonwealth Powers) Act 2011*, the term 'Business Names Register' will be defined in the *Supreme Court of Queensland Act 1991* to mean the register established and maintained under the *Business Names Registration Act 2011* (Cwth).

### **Consistency with policy objectives of authorising law**

The Amendment Rule is consistent with the objectives of the *Supreme Court of Queensland Act 1991*.

Section 118 of the *Supreme Court of Queensland Act 1991* provides that the Governor in Council may make rules of court with the consent of the Rules Committee established under the Act.

### **Inconsistency with policy objectives of other legislation**

The Amendment Rule is not inconsistent with the policy objectives of other legislation.

### **Benefits and costs of implementation**

The Amendment Rule will not have any implementation costs.

### **Consistency with fundamental legislative principles**

This Amendment Rule is consistent with fundamental legislative principles.

### **Consultation**

The Rules Committee has consented to the proposed amendments.

---

#### **ENDNOTES**

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Justice and Attorney-General.

© State of Queensland 2012