

JU301\*

Supreme Court Act 1935  
Corporations (Ancillary Provisions) Act 2001  
Corporations Act 2001 of the Commonwealth

## **Supreme Court (Corporations) (WA) Amendment Rules 2007**

Made by the Judges of the Supreme Court.

### **1. Citation**

These rules are the *Supreme Court (Corporations) (WA) Amendment Rules 2007*.

### **2. The rules amended**

The amendments in these rules are to the *Supreme Court (Corporations) (WA) Rules 2004\**.

[\* *Published in Gazette 21 May 2004, p. 1603-95.*  
*For amendments to 26 March 2007 see Western Australian  
Legislation Information Tables for 2005, Table 4.]*

### **3. Rule 2.2 amended**

- (1) Rule 2.2(1)(b) is amended by inserting after “in any other case” —

“

, and whether or not final or interlocutory relief  
is claimed

”.

- (2) Rule 2.2(4)(b)(i) is amended by deleting “interlocutory”.

**4. Rule 2.7 amended**

Rule 2.7(2) is amended as follows:

- (a) in paragraph (a) by deleting “interlocutory application” and inserting instead —  
“ application in the interlocutory process ”;
- (b) in paragraph (b) by deleting “interlocutory application” and inserting instead —  
“ application in the interlocutory process ”.

**5. Rule 6.1 amended**

Rule 6.1(1) is repealed and the following subrule is inserted instead —

“

- (1) An application for an official liquidator to be appointed under the Corporations Act section 472(2) as a provisional liquidator of a company must be accompanied by the written consent of the official liquidator.

”.

**6. Rule 12.1B inserted**

After rule 12.1A the following rule is inserted —

“

**12.1B. Notification to Court where proceeding is commenced before end of takeover bid period (Corporations Act s. 659B)**

- (1) This rule applies to a party to a proceeding who suspects or becomes aware that —
  - (a) the proceeding was commenced in relation to a takeover bid, or proposed takeover bid, before the end of the bid period; and
  - (b) the proceeding falls within the definition of court proceedings in relation to a takeover bid or proposed takeover bid in the Corporations Act section 659B(4).
- (2) The party identified in subrule (1) must, immediately on suspecting or becoming aware of the matters mentioned in subrule (1), notify any other party to the proceeding and the Court of that suspicion or knowledge.
- (3) The party must comply with subrule (2), unless any other party to the proceeding has given a notice under this rule to the party.

”.

**7. Schedule 1 amended**

Schedule 1 Form 3 is amended as follows:

- (a) in heading A. by deleting “INTERLOCUTORY”;
- (b) by deleting “This interlocutory application” in both places where it occurs and inserting instead —  
“ This application ”;
- (c) by deleting “the following interlocutory” and inserting instead —  
“ the following ”.

Dated 3rd April 2007.

WAYNE MARTIN,  
Chief Justice’s signature.

Murray J

McLure J

Owen J

Pullin J

Steytler J

Heenan J

Templeman J

Barker J

Wheeler J

Johnson J

Miller J

Le Miere J

McKechnie J

Jenkins J

Hasluck J

Simmonds J

Roberts-Smith J

Buss J

Judges’ signatures