



Federal Court (Bankruptcy) Amendment (Examination Summons and Other Measures) Rules 2015

Select Legislative Instrument No. 51, 2015

We, Judges of the Federal Court of Australia, make the following Rules.

Dated 22 April 2015

J.L.B. ALLSOP CJ
A.M. NORTH J
J.R. MANSFIELD J
J.A. DOWSETT J
S.C. KENNY J
A.N. SIOPIS J
R.F. EDMONDS J
A.P. GREENWOOD J
S.D. RARES J
B.J. COLLIER J
A.J. BESANKO J
C.N. JESSUP J
R.R.S. TRACEY J
J.E. MIDDLETON J
R.J. BUCHANAN J
J. GILMOUR J

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M.M. GORDON J
J.A. LOGAN J
G.A. FLICK J
N.W. McKERRACHER J
J.E. REEVES J
N. PERRAM J
L.G. FOSTER J
M.L. BARKER J
J.V. NICHOLAS J
A.J. KATZMANN J
A. ROBERTSON J
B.M. MURPHY J
I.J.K. ROSS J
J.E. GRIFFITHS J
D.J.C. KERR J
L.K. FARRELL J
G. PAGONE J
J. DAVIES J
D.S. MORTIMER J
D.C. RANGIAH J
R.C. WHITE J
M.A. WIGNEY J
M.A. PERRY J
J.S. GLEESON J
J.B.R. BEACH J

Judges of the Federal Court
of Australia

W.G. Soden
Registrar

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No. 51, 2015 *Federal Court (Bankruptcy) Amendment (Examination Summons and
Other Measures) Rules 2015* *i*
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1 Name

These are the *Federal Court (Bankruptcy) Amendment (Examination Summons and Other Measures) Rules 2015*.

2 Commencement

These Rules commence on the day after they are registered.

3 Authority

These Rules are made under the *Federal Court of Australia Act 1976*.

4 Schedules

Each instrument that is specified in a Schedule to these Rules is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to these Rules has effect according to its terms.

Schedule 1—Amendments

Federal Court (Bankruptcy) Rules 2005

1 Subrules 6.13(5) and (6)

Repeal the subrules, substitute:

- (5) If the supporting affidavit is lodged with a Registry for filing (other than by being sent to the Registry by electronic communication), it may be filed in a sealed envelope marked “Affidavit supporting application for summons for examination under subsection 81(1) of the *Bankruptcy Act 1966*”.
- (6) If the supporting affidavit is sent by electronic communication to a Registry for filing:
 - (a) the affidavit may be marked “Confidential”; and
 - (b) if the affidavit is so marked—the affidavit must be accompanied by a statement that the affidavit is a “confidential affidavit supporting an application for summons for examination under subsection 81(1) of the *Bankruptcy Act 1966*”.
- (7) If the supporting affidavit is:
 - (a) filed in a sealed envelope in accordance with subrule (5); or
 - (b) marked “Confidential” as permitted by paragraph (6)(a);the Registrar must not make it available for public inspection.

2 Schedule 1 (Form 6, Part 1, paragraph 5)

Omit “Insolvency and Trustee Service Australia”, substitute “Australian Financial Security Authority”.