



# High Court Amendment (Confidential Documents) Rules 2016

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We, Justices of the High Court of Australia, make the following Rules of Court.

Dated 23 August 2016

R. S. French

S. M. Kiefel

V. M. Bell

S. J. Gageler

P. A. Keane

G. A. A. Nettle

M. M. Gordon

Justices of the High Court of Australia

A. M. Phelan  
Chief Executive and  
Principal Registrar

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## Contents

1	Name.....	1
2	Commencement .....	1
3	Authority.....	1
4	Schedules .....	1
<b>Schedule 1—Amendments</b>		<b>2</b>
<i>High Court Rules 2004</i>		<i>2</i>



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## 1 Name

These are the *High Court Amendment (Confidential Documents) Rules 2016*.

## 2 Commencement

- (1) Each provision of these Rules specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of these Rules	The day after these Rules are registered.	30 August 2016

Note: This table relates only to the provisions of these Rules as originally made. It will not be amended to deal with any later amendments of these Rules.

- (2) Any information in column 3 of the table is not part of these Rules. Information may be inserted in this column, or information in it may be edited, in any published version of these Rules.

## 3 Authority

These Rules are made under the following:

- (a) the *Judiciary Act 1903*;
- (b) the *Commonwealth Electoral Act 1918*;
- (c) the *Nauru (High Court Appeals) Act 1976*;
- (d) the *High Court of Australia Act 1979*.

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Each instrument that is specified in a Schedule to these Rules is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to these Rules has effect according to its terms.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

### *High Court Rules 2004*

#### **1 Rule 1.06**

Insert:

*non-publication order*: see section 77RA of the *Judiciary Act 1903*.

*suppression order*: see section 77RA of the *Judiciary Act 1903*.

#### **2 At the end of rule 1.08**

Add:

1.08.6 If:

- (a) a document is to be filed in the Court; and
- (b) the document contains information to which a suppression order, a non-publication order, or any other confidentiality order, made by a court applies;

the document must be accompanied by a copy of the relevant order.

#### **3 Paragraph 4.07.4(a)**

Omit “Court; and”, substitute “Court; or”.

#### **4 At the end of rule 4.07.4**

Add:

- ; or (c) documents containing information to which a suppression order, a non-publication order, or any other confidentiality order, made by a court applies; or
- (d) documents containing information in relation to which an application for an order referred to in paragraph (c) has been made but has not yet been determined.