



New South Wales

# Uniform Civil Procedure (Amendment No 97) Rule 2021

under the

Civil Procedure Act 2005

The Uniform Rules Committee has made the following rule of court under the *Civil Procedure Act 2005*.

Rebel Kenna  
Secretary of the Uniform Rules Committee

## Explanatory note

The object of this Rule is to amend the *Uniform Civil Procedure Rules 2005* to increase, from 10 to 12, the age at which a child is deemed to be a defendant in an appeal to the District Court against a decision in relation to the care of the child.

This amendment will achieve consistency with the rebuttable presumptions in the *Children and Young Persons (Care and Protection) Act 1998*, sections 99B and 99C.

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### **1 Name of Rule**

This Rule is the *Uniform Civil Procedure (Amendment No 97) Rule 2021*.

### **2 Commencement**

This Rule commences on the day on which it is published on the NSW legislation website.

### **3 Amendment of Uniform Civil Procedure Rules 2005**

#### **Rule 50.18 Defendants in appeal**

Omit “of or above the age of 10 years” from rule 50.18(1)(b).

Insert instead “at least 12 years of age”.