

First Nations Voice Court of Disputed Returns (Reinstated) Rules 2024

SOUTH AUSTRALIA

The Chief Judge of the District Court of South Australia makes the following rules for the Court of Disputed Returns pursuant to clause 27 of schedule 1 of the *First Nations Voice Act 2023*.

1—Introduction

1.1—Title

These Rules may be cited as the “First Nations Voice Court of Disputed Returns (Reinstated) Rules 2024”.

1.2—Commencement

These Rules come into effect on the date of their publication in the Gazette.

2—Interpretation

2.1—Definitions

In these Rules:

“*the Act*” means the *First Nations Voice Act 2023*;

“*the Court*” means the Court of Disputed Returns;

“*the Uniform Civil Rules*” means the *Uniform Civil Rules 2020*.

3—Proceedings in the Court

3.1—Petition

A petition under section 21(1) of the Act is to be generally in Form 1 below.

3.2—Reply

(1) A reply under section 21(4) of the Act is to be generally in Form 2 below.

(2) A reply lodged by one of multiple respondents is to be served by that respondent on all other respondents.

3.3—Application of the Uniform Civil Rules

(1) Except as is expressly or impliedly otherwise provided by the Act or these Rules, and subject to any contrary directions of the Court, all proceedings under part 8 of schedule 1 of the Act will be governed by the Uniform Civil Rules.

(2) For the purposes of applying the Uniform Civil Rules to proceedings under part 8 of schedule 1 of the Act:

(a) a petitioner is the equivalent of an applicant.

(b) a respondent is the equivalent of a respondent.

(c) a petition is the equivalent of an originating application.

(d) a reply is the equivalent of a reply.

(e) lodge is the equivalent of file.

4—Fees

The fees payable are:

FEE	AMOUNT
(1) On lodging a petition	\$170.00

Form 2

REPLY

SOUTH AUSTRALIA
IN THE COURT OF DISPUTED RETURNS
No. _____ of _____

AB

petitioner

and

CD and EF

respondents

In answer to the petition the respondent (set out full name) relies on the following facts:

(Set out in separate numbered paragraphs each of the facts relied upon by the respondent)

The respondent (set out full name) seeks the following relief:

(Set out any relief to which the respondent claims to be entitled)

DATED

.....
(Signed by or on behalf of the respondent)

The address for service of the respondent (set out name) is (set out an address for service to comply with the Uniform Civil Rules)

(Where the reply is filed by a solicitor acting for the respondent) This reply is filed by _____ of _____, solicitor for the respondent (insert name).

In accordance with the *First Nations Voice Act 2023*, and all other enabling powers, the *First Nations Voice Court of Disputed Returns (Reinstated) Rules 2024* have been made as rules of the Court of

Disputed Returns by the Chief Judge of the District Court and such rules will apply to and in relation to the Court in accordance with their terms.

Dated this 16th day of September 2024.

A handwritten signature in black ink, appearing to be 'R. Evans', written over a horizontal line.

CHIEF JUDGE EVANS

