The New Federal Court Rules

On 16 May 2011 the Federal Court of Australia announced that an entirely revised set of rules (**FCR 2011**) will commence on 1 August 2011. A new set of approved forms will replace the current court forms prescribed under the existing Federal Court Rules (1979).

Copies of FCR 2011 and approved forms

The Federal Court will release the final version of FCR 2011 and the approved form in early June 2011 on its website and will also host a series of familiarisation seminars for the profession (in Sydney on Tuesday 7 June 2011) - details may be obtained via the Court's website. Read more.

Practitioners should also consult the Federal Court's website for further announcements.

Timing

FCR 2011 and the new approved forms were to commence on 1 July 2011 however the Court agreed to defer commencement until 1 August 2011 after considering a request from the NSW Law Society that the rules be delayed for six months to allow further time for education and familiarisation purposes as well as to allow sufficient time for preparation of precedent court documents. It is not known if the Federal Court will operate a "grace" period following commencement that may permit, where appropriate, the continued use of the old rules and prescribed forms in matters already before the court.

Approved forms

The new forms will not be prescribed under FCR 2011. They will be approved by the Chief Justice and published on the Federal Court's website.

Practitioners should note that future changes to approved forms will not be gazetted, although it is likely that notification of changes will be made through practice announcements issued by the Court.

To view the Law Society submission to the Federal Court click here.