

# CORPORATIONS LIST

## Revised hearing arrangements – Urgent applications, Motions and Directions

Issued on 28 October 2021

- 1 This protocol replaces the Corporations List protocol issued by the Court in March 2020 in relation to urgent applications, motions and directions in the Corporations List. This protocol takes effect on 7 November 2021.

### Urgent Matters

2. Paragraphs 8 and 9 of Practice Note SC Eq 4 continue to apply with respect to the manner of contacting the Associate to the Corporations List Judge in relation to urgent applications. Those applications will be heard by telephone, Microsoft Teams or audio visual link as appropriate.

### Motions

3. The Monday Motions List call-over commencing at 9.15 am will be conducted only by telephone. Each motion which is not dealt with by consent will be given a marking for a live hearing.
4. The legal representatives for the parties to the motion are to inform the Associate to the Corporations List Judge by no later than **4 pm on the Thursday** preceding the Monday Motions List:
  - (1) whether the matter is ready for hearing and if so, the estimated length of the hearing; and
  - (2) the names of the legal practitioners (not exceeding 3) who will appear on the motion and their telephone and email addresses (other representatives of the parties may not attend Court except with leave of the presiding Judge given in accordance with the Court's COVID-19 protocol); and
  - (3) confirmation that each legal practitioner appearing on the motion has been fully vaccinated against COVID-19 (a legal practitioner who has not been fully vaccinated will not be entitled to attend at a live hearing).
5. The parties must provide short written submissions, together with a Court Book comprising copies of all affidavits and exhibits sought to be

relied upon, to the Associate to the Corporations List Judge by no later than **noon on the Friday** preceding the Monday Motions List. Those documents are to be sent by email (or, if more than 100 pages in total length, by delivery of a paper copy) to the Associate to the Corporations Judge.

6. If a motion is not ready for hearing, the parties are to provide proposed consent orders for the preparation of the motion for hearing or adjournment, as appropriate, by **4pm on the Thursday** preceding the Monday Motions List.

### **Directions**

7. The Monday Directions List commencing at 10 am will continue to be conducted only by telephone with several matters dealt with by telephone in half hour blocks. Parties are expected to avoid unnecessary telephone listings by consulting with each other and agreeing proposed directions in advance of the Monday Directions List. Proposed directions should be forwarded to the Associate to the Corporations List Judge by **noon on the Friday** preceding the Monday Directions List. Such directions will be dealt with in chambers.
8. Legal representatives who have not agreed consent orders must provide written advice to the Associate to the Corporations List Judge by 4pm on the Thursday preceding the Corporations Directions List (1) confirming that the legal representatives have consulted and (2) identifying the nature of any disagreement.
9. If parties fail to appear by telephone at the allocated time, the matter may be adjourned to a telephone listing in the following week's Monday List or other orders may be made as appropriate.

### **Hearings**

10. Substantive hearings will generally proceed by a live hearing or otherwise by telephone, Microsoft Teams or audio visual link as appropriate.