

SUPREME COURT OF TASMANIA

PRACTICE DIRECTION

No. 1 of 2005

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The following Practice Direction is published by direction of the Chief Justice, the Honourable Mr Justice Underwood AO.

This Practice Direction replaces 6/1996 and 3/2001.

LISTS OF AUTHORITIES

1. In any appeal, contested cause or matter or any complex ex parte matter, a printed list of all authorities and legislation must be lodged with the Court and delivered to each other party not less than 48 hours prior to the time when the counsel estimates that he or she will address the Court. Saturdays, Sundays and Court holidays shall be excluded from the reckoning of the period of 48 hours.
2. Failure to do so may result in the hearing being adjourned.
3. The list of authorities should be headed as a document and divided into three parts:
 - Part 1 should contain only those authorities which counsel intend to cite in submissions before the Court.
 - Part 2 should contain those authorities which counsel consider might be referred to during the course of argument, but which counsel do not intend to cite.
 - Part 3 should list legislation noting sections that will be referred to.
4. The list must be accompanied by:
 - (a) A copy of any decision or ruling that is not a:
 - decision of this Court;
 - decision of an Australian court contained in an authorised report or in ALR, ALJR, FLR or A Crim R.

(b) a copy of any legislation to be referred to other than the legislation of:

- Tasmania;
- the Commonwealth.

5. In any appeal to the Full Court or the Court of Criminal Appeal, the list of authorities must be accompanied by three photocopies of all authorities referred to in Part 1 and Part 2 of the list and of the relevant sections of legislation referred to in Part 3 thereof.
6. The Court does not regard the furnishing of a list of authorities as equivalent to the citation of the authorities in it. The only authorities which the Court will regard as having been cited or relied upon are those to which reference has been made during the hearing.