



Queensland

Uniform Civil Procedure Amendment Rule (No. 1) 2008

Subordinate Legislation 2008 No. 112

made under the

Supreme Court of Queensland Act 1991

Contents

		Page
1	Short title	2
2	Commencement	2
3	Rules amended	2
4	Replacement of r 427 (Expert evidence)	2
	427 Expert evidence	2

[s 1]

1 Short title

This rule may be cited as the *Uniform Civil Procedure Amendment Rule (No. 1) 2008*.

2 Commencement

This rule commences on 1 June 2008.

3 Rules amended

This rule amends the *Uniform Civil Procedure Rules 1999*.

4 Replacement of r 427 (Expert evidence)

Rule 427—

omit, insert—

‘427 Expert evidence

- ‘(1) Subject to subrule (4), an expert may give evidence-in-chief in a proceeding only by a report.
- ‘(2) The report may be tendered as evidence only if—
 - (a) the report has been disclosed as required under rule 429; or
 - (b) the court gives leave.
- ‘(3) Any party to the proceeding may tender as evidence at the trial any expert’s report disclosed by any party, subject to producing the expert for cross-examination if required.
- ‘(4) Oral evidence-in-chief may be given by an expert only—
 - (a) in response to the report of another expert; or
 - (b) if directed to issues that first emerged in the course of the trial; or
 - (c) if the court gives leave.’.

ENDNOTES

- 1 Made by the Governor in Council on 1 May 2008.
- 2 Notified in the gazette on 2 May 2008.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Justice and Attorney-General.

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