



DUST DISEASES TRIBUNAL OF NSW

ADVICE TO PRACTITIONERS (No.2 of 2020)

UNSERVED CLAIMS

Practitioners are advised that pursuant to Rule 6.2(a) of the *Uniform Civil Procedure Rules* 2005 (NSW) (**UCPR**) the Dust Diseases Tribunal of NSW (**DDT**) will consider any Claim that has NOT been served within 6 months after the date on which it is filed to be *expired*. Rule 6.2(a) of the UCPR states:

“Subject to subrule (5), originating process is valid for service-
(a) in the case of proceedings in the Supreme Court, the Land and Environment Court, the Dust Diseases Tribunal or the Local Court, for 6 months after the date on which it is filed”.

Subrule (5) states:

“Failure to serve originating process within the time limited by these rules does not prevent the plaintiff from commencing fresh proceedings by filing another originating process”.

Daniel Watson
Registrar
26 February 2020