



THOMSON REUTERS

Update Summary

PLEASE CIRCULATE IMMEDIATELY!

UPDATE 150

SEPTEMBER 2024

**CANNON AND HISKEY
MAGISTRATES COURT PRACTICE
SOUTH AUSTRALIA**

A Cannon & G Hiskey

Material Code 42475295

Print Post Approved PP255003/00415

© Thomson Reuters (Professional) Australia Limited 2024

Looseleaf Support Service

You can now access the current list of page numbers at:

<http://www.thomsonreuters.com.au/support/product-support.aspx?id=/mediaTree/58599>. If you have any questions or comments, or to order missing pages, please contact Customer Care LTA ANZ on 1300 304 195 Fax: 1300 304 196 Email: Care.ANZ@thomsonreuters.com

New commentary has been provided by **Dr. Andrew Cannon**:

New Developments

New:

- **Australian Consumer Law can impose conditions on licenced car dealers**, has been inserted, at [RJ.2024.1]
- **Residential tenancy dispute to be determined in SACAT**, has been inserted, at [RJ.2024.2]
- **An order for extension of time for service does not affect time limits**, has been inserted, at [RJ.2024.3]
- **Indemnity costs in a community title dispute**, has been inserted, at [RJ.2024.4]
- **Community title dispute: encroachment on common property**, has been inserted, at [RJ.2024.5]
- **Criminal Assets Confiscation: prior alleged loan agreement**, has been inserted, at [RJ.2024.6]
- **S 127(1)(b) *Motor Vehicles Act 1995* (SA) limiting costs to scale**, has been inserted, at [RJ.2024.7]
- **Assessment of damages for breach of copyright**, has been inserted, at [RJ.2024.8]
- **Application to set aside a default judgment**, has been inserted, at [RJ.2024.9]
- **Summary dismissal, no standing or jurisdiction**, has been inserted, at [RJ.2024.10]
- **Defamation: effect of no concerns notice**, has been inserted, at [RJ.2024.11]
- **Res judicata and issue estoppel**, has been inserted, at [RJ.2024.12]
- **Summary dismissal**, has been inserted, at [RJ.2024.13]
- **Disqualification to hear a case**, has been inserted, at [RJ.2024.14]
- **Restraint of trade**, has been inserted, at [RJ.2024.15]
- **Fences Act: enforceability of a contract to construct a boundary fence**, has been inserted, at [RJ.2024.16]
- **Set aside default judgment**, has been inserted, at [RJ.2024.17]
- **Whether to award indemnity costs**, has been inserted, at [RJ.2024.18]
- **The *Uniform Civil Rules* (UCR) amendment no 11 August 2024**, has been inserted, at [ND.2024.02].

Stages of Action

New:

- **Registering a default judgment**, has been inserted at [SOA.293]
- **Types of irregularity**, has been inserted at [SOA.391]
- **Reasons on interlocutory rulings**, has been inserted at, [SOA.770]
- **Subpoena to a Minister of the Crown**, has been inserted at [SOA.979]
- **Subpoena to a stranger to an action**, has been inserted at [SOA.982]
- **Objection to subpoena**, has been inserted at [SOA.982]
- **Costs recoverable by party summonsed**, has been inserted at [SOA.987]
- **Failure to attend in answer to a subpoena**, has been inserted at [SOA.990]
- **Trial: introduction**, has been inserted at, [SOA.1020]
- **Control of the trial process**, has been inserted at, [SOA.1024]
- **Use of audio and audio visual links**, has been inserted at, [SOA.1028]
- **Late and substantive amendment of pleadings**, has been inserted at, [SOA.2045]
- **Example of a magistrate refusing an adjournment**, has been inserted at, [SOA.2048]
- **Example of a magistrate granting an adjournment**, has been inserted at, [SOA.2051]
- **Parties ordinarily bound by their conduct at trial**, has been inserted at, [SOA.2054]
- **Waiver of monetary limit**, has been inserted at, [SOA.2057]
- **Reduction of amount of claim to bring it within jurisdiction**, has been inserted at, [SOA.2060]
- **Order as to witnesses**, has been inserted at, [SOA.2063]
- **Order of evidence**, has been inserted at, [SOA.2066]
- **An example of a defendant being dux litis in the Magistrates Court**, has been inserted at, [SOA.2069]
- **Dux litis and splitting the case in defamation actions**, has been inserted at, [SOA.2072]
- **Parties' expert evidence at trial**, has been inserted at, [SOA.2075]
- **Order of closing addresses**, has been inserted at, [SOA.2080]
- **Written submissions, right of response**, has been inserted at, [SOA.2082]
- **Proof of cost of repairs to, or loss of, property**, has been inserted at, [SOA.2085]
- **Evidence before an examiner**, has been inserted at, [SOA.2088]
- **Fifteen-minute rule for attending trials of claims**, has been inserted at, [SOA.2091]
- **Fifteen-minute rule for attending trials of originating applications**, has been inserted at, [SOA.2094]
- **Meaning of "Fails to attend"**, has been inserted at, [SOA.2098]
- **Pronouncing judgment**, has been inserted at, [SOA.2101]

- **Perfection of a judgment**, has been inserted at, [SOA.2104]
- **Power to set aside or vary a judgment**, has been inserted at, [SOA.2107]
- **Reconsideration or change of substance not permitted**, has been inserted at, [SOA.2110]
- **Nature of relief and pre judgment interest**, has been inserted at, [SOA.2113]
- **Death or incapacity of the magistrate or judicial registrar**, has been inserted at, [SOA.2115]
- **Adequacy of reasons**, has been inserted at, [SOA.2118]
- **Prompt delivery of judgments: polite enquiries**, has been inserted at, [SOA.2121]
- **Form of judgment; separate judgments against debtors severally liable**, has been inserted at, [SOA.2024]