

HIGH COURT OF AUSTRALIA

PRACTICE DIRECTION NO 1 OF 2016

APPLICATIONS FOR A SUPPRESSION ORDER OR NON-PUBLICATION ORDER

1. This Practice Direction:
 - (a) takes effect in relation to applications for a "suppression order" or "non-publication order" made under Part XAA, Division 2 of the *Judiciary Act* 1903 (Cth) filed on or after **1 July 2016**; and
 - (b) uses the definitions contained in s 77RA of the *Judiciary Act*.
2. Generally, where an application for special leave to appeal has been filed, any application for a suppression order or non-publication order pending the determination of the application for special leave to appeal should be made, in the first instance, to the court from whose judgment an application for special leave to appeal is brought.
3. An application to the Court for a suppression order or non-publication order is to be made:
 - (a) as promptly as circumstances permit; and
 - (b) in accordance with Part 13 of the *High Court Rules* 2004 (Cth).
4. An application to the Court for a suppression order or non-publication order is to address the requirements of Part XAA of the *Judiciary Act*:
 - (a) in particular, in relation to:
 - (i) the nature of the information sought to be covered by the order;
 - (ii) the asserted ground/s for the order; and
 - (iii) the proposed duration of the order,
 - (b) regardless of whether:
 - (i) some or all of the parties entitled to appear and be heard on that application consent to the making of the order; and/or
 - (ii) another court has made a suppression order or non-publication order in relation to the information sought to be covered by the order.

7 June 2016