



DUST DISEASES TRIBUNAL OF NEW SOUTH WALES

Advice to Practitioners

PRE-JUDGMENT INTEREST RATES

Commencement

1. This Advice was issued on 28 June 2010 and commences on 1 July 2010.

Application

2. It applies to new and existing civil proceedings in the Tribunal.

Introduction

3. The purpose of this Advice is to set the rate of pre-judgment interest that may be awarded under section 100 (1) and (2) of the Civil Procedure Act 2005.

Calculating pre-judgment interest

4. Section 100 of the Civil Procedure Act 2005 provides for the making of orders for the inclusion of interest in judgments.

5. Practitioners and litigants should expect that where, pursuant to section 100 (1) and (2) of the Civil Procedure Act 2005, interest in respect of a pre-judgment period is to be included in a judgment, the Tribunal will have regard to the following rates, being rates agreed upon by the Discount and Interest Rate Harmonisation Committee established following a referral by the Council of Chief Justices:

- (a) in respect of the period from 1 January to 30 June in any year - the rate that is 4% above the cash rate last published by the Reserve Bank of Australia before that period commenced, and
- (b) in respect of the period from 1 July to 31 December in any year - the rate that is 4% above the cash rate last published by the Reserve Bank of Australia before that period commenced.

Dated: 28 June 2010

President