

1990 - No 89

DISTRICT COURT ACT 1973 – RULE

NEW SOUTH WALES



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1. This rule is made by the Rule Committee on 6 February 1990, and has effect on and from 21 March 1990.
2. The District Court Rules 1973 are amended by inserting in Part 6 after Division 5 the following Division:

DIVISION 6 - *Proceedings under section 83 of the Building Services Corporation Act 1989*

Application

47. (1) An application for a suspension order under section 83 of the Building Services Corporation Act 1989 shall be made by filing notice of the application, verified by affidavit, at Sydney.

(2) As soon as practicable after the filing of a notice referred to in subrule (1) the registrar shall submit the notice and any document filed with the notice to a Judge for directions, and the Judge may give directions as to any or all of the following:

- (a) at what proclaimed place and on what day the application is to be heard and determined;
- (b) whether the application is to be heard in open Court or in chambers;
- (c) what notice, if any, of the application is to be given to the holder concerned, and how any such notice is to be given;
- (e) any other matter relevant to the hearing of the application.

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(3) Nothing in subrule (2) prevents a Judge from making or refusing a suspension order immediately the application for the order is submitted to him under that subrule.

E. J. O'GRADY
Secretary to the Rule Committee
