

1990 - No. 90

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 16 February 1990.

2. The District Court Rules 1973 are amended as follows:

(a) Part 1 rule 3 Division of rules

(i) After the matter relating to Division 5 of Part 6 insert the following matter:

DIVISION 6 - *Proceedings under Section 83 of the Building Services Corporation Act 1989* - r. 47

(ii) Omit the matter relating to Part 514 insert instead the following matter:

PART 51A - ARBITRATION UNDER THE ARBITRATION (CIVIL ACTIONS) ACT 1983

DIVISION 1 - *Preliminary* - rr. 1, 2

DIVISION 2 - *Arbitration under the "Philadelphia" system* - r. 3

DIVISION 3 - *Arbitration other than under the "Philadelphia" system* - rr. 4, 5

DIVISION 4 - *General* - rr. 5A-13

(b) Part 29 rule 7A Subpoena to medical expert

In subrule (2) omit "subrule (2)", insert instead "subrule (1)".

(c) Part 51A rule 2 Referral for arbitration

(i) In subrule (4) (b) (ii) after "\$50,000;" insert "or";

(ii) In subrule (4) (c) omit "thereof; or", insert instead "thereof.;"

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- (iii) Omit subrule (4) (d).
- (d) Part 51A - Division 4 - rule 5 Application
Omit “5.”, insert instead “5A.”.
- (e) Part 51A rule 13
After Part 51A rule 12 insert the following rule -
Appointment to panel
13. Any arbitrator appointed under section 5 (2) of the Arbitration (Civil Actions) Act 1983 may be appointed under section 11 (2) (c) of the Egg Industry (Repeal and Deregulation) Act 1989 to the arbitration panel set up under section 11 (1) of the latter Act.

EXPLANATORY NOTE

The purpose of the amendments is to repair an inadvertent omission from the Rule published on 22 December 1989 and to make other minor and consequential amendments.

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