

1992—No. 554

DISTRICT COURT ACT 1973—RULE

NEW SOUTH WALES



[Published in Gazette No. 123 of 9 October 1992]

1. This rule is made by the Rule Committee on 29 September 1992, and has effect on and from 1 January 1993.
2. In respect of actions commenced on or after 1 January 1993 the District Court Rules 1973 are amended by omitting from Part 24C rule 2 (2) the word “contain” and by inserting instead the words “have attached to it as a separate document”.

EXPLANATORY NOTE

The purpose of the amendment is to require that in actions under the Motor Accidents Act 1988 commenced on or after 1 January 1993 the plaintiff's statement as to compliance with the time limitations in that Act be a separate document attached to the originating process. The statement is presently required to be contained in the originating process, and it is frequently very difficult to locate it or confirm its absence. The registry must be able to establish immediately that the statement is filed, because its absence may seriously prejudice the defendant's rights.

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