

DISTRICT COURT ACT 1973—RULE

NEW SOUTH WALES



[Published in Gazette No. 20 of 14 February 1992]

1. This rule is made by the Rule Committee on 11 February 1992, and has effect on and from 14 February 1992.

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

(a) Part 2 rule 3

Omit the rule.

(b) Part 32 rule 1 (2)

Omit the subrule, insert instead the following subrules:

(2) Where the judgment creditor does not have an address for service at, and does not carry on business or have an agent at, a place within 30 kilometres from the place at which the judgment debtor is required to attend, the judgment creditor may file with the examination summons a request that the presiding registrar orally examine the judgment debtor as provided in section 91 (3) (b) of the Act, together with a copy of the request for the presiding registrar if that registrar is not the issuing registrar.

(2A) Where the judgment creditor has an address for service at, or carries on business or has an agent at, a place within 30 kilometres from the place at which the judgment debtor is required to attend, the presiding registrar is not required to orally examine the judgment debtor.

EXPLANATORY NOTE

The purpose of the amendments is:

- (a) to discontinue the observance of the Tuesday after Easter as a District Court holiday;
- (b) to remove from a registrar the obligation to personally conduct the financial examination of a judgment debtor if the creditor carries on business, or has an agent, within 30 kilometres of the Court.

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