



New South Wales

DISTRICT COURT ACT 1973—RULE

1. This rule is made by the Rule Committee on 8 October 1996, and has effect on and from 18 October 1996.

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

Part 6 rule 51 (1)

- (i) In paragraph (a) omit “of the proclaimed places mentioned in subrule (2)”, insert instead “proclaimed place”,
- (ii) In paragraph (b) omit “of those proclaimed places”, insert instead “proclaimed place”.

(b) Part 6 rule 51 (2)

Omit the subrule.

(c) Part 6 rule 55 (1)

Omit the subrule, insert instead:

(1) Subject to any order of the Court, a call-over of appeals shall be held on such day or days as the registrar directs.

(d) Part 6 rule 55 (3)

Omit the subrule.

(e) Part 12 rule 4 (2)

Omit the subrule.

(f) Part 12A

Omit the Part.

(g) Part 24C rule 2 (2) (c)

Omit “43A (l)”, insert instead “43A”.

(h) Part 24C rule 2 (2) (d)

Omit the paragraph, insert instead:

- (d) where the action is commenced before the time prescribed by section 52 (1A) of that Act, an indication of the grounds on which the plaintiff relies as referred to in section 52 (2) of that Act; and

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- (d) where the action is commenced after the time prescribed by section 52 (4) of that Act, a statement that leave of the Court has been granted as referred to in that subsection.
- (i) Part 24C rule 2 (3)
Omit the subrule.
- (j) Part 26 rule I0
Omit the rule.

EXPLANATORY NOTE

The purpose of the amendments is:

- to remove restrictions on where appeals under the Victims Compensation Act 1987 may be heard and how they may be listed;
- (e), (f) (j): to remove some provisions no longer in effect since adoption of the Practice Note 33 listing system;
- (g)-(i) to amend the rules affecting the Motor Accidents List following recent amendments to the Motor Accidents Act 1988.

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