



New South Wales

## **District Court Rule (Dismissal of Proceedings) 1999**

under the

**District Court Rules 1973**

The District Court Rule Committee made the following rule of court under the *District Court Rules 1973* on 9 December 1999.

J G Cowen

Secretary to the Rule Committee

### **Explanatory note**

The object of this Rule is to amend the *District Court Rules 1973*:

- (a) to remove the power of the Court under Part 26, r 5B to strike out actions where the plaintiff or neither party appears, and
- (b) to enable the Court under Part 18, rule 3 to set aside orders made under that rule dismissing proceedings for want of prosecution even where the order was made on the application of one of the parties.

1999 No 706

Clause 1 District Court Rule (Dismissal of Proceedings) 1999

## **District Court Rule (Dismissal of Proceedings) 1999**

## 1 Name of Rule

This Rule is the *District Court Rule (Dismissal of Proceedings) 1999*.

## 2 Commencement

This Rule commences on 1 January 2000.

### **3 Amendment of District Court Rules 1973**

The *District Court Rules 1973* are amended as set out in Schedule 1.

## 4 Notes

The explanatory note does not form part of this Rule.

**1999 No 706**

District Court Rule (Dismissal of Proceedings) 1999

Amendments

Schedule 1

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**Schedule 1 Amendments**

(Clause 3)

**[1] Part 18, rule 3**

Omit “on the Court’s own motion” from Part 18, rule 3 (4).

**[2] Part 26, rule 5B**

Omit the rule.

BY AUTHORITY

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