



## 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

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**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.

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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