



New South Wales

District Court Amendment (Defences) Rule 2001

under the

District Court Act 1973

The District Court Rule Committee made the following rule of court under the *District Court Act 1973* on 11 October 2001.

J G Cowen

Secretary to the Rule Committee

Explanatory note

The object of this Rule is to amend the *District Court Rules 1973* to enable the Court, on application or of its own motion, to strike out a notice of grounds of defence for a failure by the defendant to conduct the defence with due dispatch.

2001 No 840

Clause 1 District Court Amendment (Defences) Rule 2001

District Court Amendment (Defences) Rule 2001

1 Name of Rule

This Rule is the *District Court Amendment (Defences) Rule 2001*.

2 Amendment of District Court Rules 1973

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

3 Notes

The explanatory note does not form part of this Rule.

Schedule 1 Amendment

(Clause 2)

Part 10, rule 6

Insert after rule 5:

6 Failure to conduct defence with due dispatch

Where a defendant makes default in complying with any order or direction as to the conduct of the defendant's defence, or does not conduct the defence with due despatch, the Court may, on application by any party or of its own motion, strike out (whether in whole or in part) the defendant's notice of grounds of defence or make such other order as the Court thinks fit.

BY AUTHORITY
