



New South Wales

District Court Amendment (Striking Out Orders) Rule 2002

under the

District Court Act 1973

The District Court Rule Committee made the following rule of court under the *District Court Act 1973* on 20 February 2002.

J G Cowen

Secretary to the Rule Committee

Explanatory note

The object of this Rule is to amend the *District Court Rules 1973* to make it clear that the Court and registrar have the power in certain circumstances to strike out certain pleadings and other matters of their own motion as well as on the application of a party to the proceedings.

2002 No 204

Clause 1 District Court Amendment (Striking Out Orders) Rule 2002

**District Court Amendment (Striking Out Orders)
Rule 2002**

1 Name of Rule

This Rule is the *District Court Amendment (Striking Out Orders) Rule 2002*.

2 Amendment of District Court Rules 1973

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

Schedule 1 Amendments

(Clause 2)

[1] Part 9, rule 17

Insert “, on the application of a party or of its own motion,” after “the Court may” in rule 17 (1).

[2] Part 9, rule 26

Insert “(on the application of a party or of its own motion)” after “it may” in rule 26 (3).

[3] Part 30, rule 8

Insert “, on the application of a party or of the Court’s or the registrar’s own motion,” after “registrar may” in rule 8.

[4] Part 40, rule 1

Insert “(on the application of a party or of its own motion)” after “the Court may” in rule 1 (5).

[5] Part 46, rule 3

Insert “, on the application of a party or of its own motion,” after “the Court may” in rule 3 (3).

[6] Part 47, rule 7

Insert “, on the application of a party or of its own motion,” after “the Court may” in rule 7.

[7] Part 51A, rule 5B

Insert “, whether on the application of a party or of its own motion” after “thinks fit” in rule 5B (2).

BY AUTHORITY
