



## District Court Amendment (Interstate Evidence on Commission) 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 5 September 2002.

J Riznyczok

Acting Secretary of the Rule Committee

### Explanatory note

The object of this Rule is to amend Part 25 (Taking of evidence otherwise than at trial) of the *District Court Rules 1973* to make provision in respect of examination orders made under the *Evidence on Commission Act 1995* for the taking of evidence in Australia. Schedule 2.13 to the *Statute Law (Miscellaneous Provisions) Act 2002* recently amended the *Evidence on Commission Act 1995* to confirm that the District Court has power to make examination orders for the taking of evidence in Australia as well as for the taking of evidence overseas.

## **2002 No 796**

Clause 1            District Court Amendment (Interstate Evidence on Commission) Rule 2002

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### **District Court Amendment (Interstate Evidence on Commission) Rule 2002**

under the

District Court Act 1973

#### **1 Name of Rule**

This Rule is the *District Court Amendment (Interstate Evidence on Commission) Rule 2002*.

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

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

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## Schedule 1 Amendments

(Clause 2)

**[1] Part 25, rule 2**

Insert “or 20 (1)” after “section 6 (1)” wherever occurring in rule 2.

**[2] Part 25, rule 3**

Insert “or 20 (1) (a)” after “section 6 (1) (a)” wherever occurring in rule 3 (2).

**[3] Part 25, rule 3 (2)**

Insert “or 23” after “section 9”.

**[4] Part 25, rule 4**

Insert “or 20 (1) (a) or (c)” after “section 6 (1) (a) or (c)”.

**[5] Part 25, rule 5**

Insert “or 20 (1) (c)” after “section 6 (1) (c)” wherever occurring in rule 5 (1).

**[6] Part 25, rule 5 (1)**

Insert “or 23” after “section 9”.

**[7] Part 25, rule 6**

Insert “or 20 (1) (a)” after “section 6 (1) (a)” wherever occurring.

**[8] Part 25, rule 6**

Insert “or 23” after “section 9”.

**[9] Part 25, rule 6**

Insert “or 21 (1)” after “section 7 (1)”.

**[10] Part 25, rule 7**

Insert “or 20 (1) (c)” after “section 6 (1) (c)” in rule 7 (b).

**[11] Part 25, rule 8**

Insert “or 20 (1) (a)” after “section 6 (1) (a)” wherever occurring in rule 8 (1).

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Schedule 1 Amendments

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**[12] Part 25, rule 8 (1)**

Insert “or 23” after “section 9”.

**[13] Part 25, rule 18**

Insert “or 23” after “section 9” in rule 18 (2).

**[14] Part 25, rule 18 (2)**

Insert “or 20 (1) (c)” after “section 6 (1) (c)”.

BY AUTHORITY

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