



## District Court Amendment (Notice of Ceasing to Act) Rule 2003

under the

District Court Act 1973

The District Court Rule Committee made the following rule of court under the *District Court Act 1973* on 8 May 2003.

A Liounis

Acting Secretary of the Rule Committee

### **Explanatory note**

The object of this Rule is to amend Part 48 rule 4 of the *District Court Rules 1973* to provide that if a date has been fixed for the hearing of proceedings, a solicitor may not file or serve a notice of ceasing to act for his or her client unless the solicitor has, not less than 28 days before doing so, served on each party to the proceedings and the registrar notice of the solicitor's intention to file and serve such a notice.

## **2003 No 340**

Clause 1            District Court Amendment (Notice of Ceasing to Act) Rule 2003

---

### **District Court Amendment (Notice of Ceasing to Act) Rule 2003**

under the

District Court Act 1973

#### **1    Name of Rule**

*This Rule is the District Court Amendment (Notice of Ceasing to Act) Rule 2003.*

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

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

---

## Schedule 1 Amendment

(Clause 2)

### Part 48 rule 4

Omit rule 4 (6). Insert instead:

- (6) A solicitor may not file or serve a notice of change under subrule (5) without leave of the Court unless:
  - (a) if a date has been fixed for the hearing of the proceedings—the solicitor has, not less than 28 days before doing so, served on each party to the proceedings and the registrar notice of the solicitor’s intention to file and serve the notice of change, or
  - (b) if a date has not been fixed for the hearing of the proceedings—the solicitor has, not less than 7 days before doing so, served on the solicitor’s former client notice of the solicitor’s intention to file and serve the notice of change.