

Act No. 282

**DISTRICT COURT (CIVIL CLAIMS) AMENDMENT BILL
1987**

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Local Courts (Civil Claims) Amendment Bill 1987.

The objects of this Bill are to amend the District Court Act 1973 as a consequence of the enactment of the proposed Local Courts (Civil Claims) Amendment Act 1987—

- (a) to increase from \$1,000 to \$4,000 the minimum amount for which an action may be brought in the District Court without leave of the Court; and
- (b) to amend the procedures relating to the enforcement of a summons for the examination of a judgment debtor by a judgment creditor.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the days on which corresponding provisions in the proposed Local Courts (Civil Claims) Amendment Act 1987 commence.

Clause 3 gives effect to the Schedule of amendments to the Principal Act.

Schedule 1 (1) amends section 48 (Miscellaneous limitations on jurisdiction) of the Principal Act to increase from \$1,000 to \$4,000 the minimum amount for which an action may be brought in the District Court without leave of the Court.

Schedule 1 (2) amends section 92 (Failure to attend in answer to examination summons) of the Principal Act—

- (a) to remove the requirement that conduct money must be tendered to a judgment debtor in connection with the service of an examination summons;

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- (b) to impose a time limit of 3 months on the issue, at the request of the judgment creditor, of a warrant for the apprehension of a judgment debtor; and
 - (c) to enable the 3-month time limit to be extended in appropriate circumstances.
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