



Court of Appeal (Civil) Amendment Rules 2013

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 20th day of May 2013

Present:

His Excellency the Governor-General in Council

Pursuant to section 51C of the Judicature Act 1908, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, and with the concurrence of the Right Honourable the Chief Justice and at least 2 other members of the Rules Committee (of whom at least 1 was a Judge of the High Court), makes the following rules.

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Rules

1 Title

These rules are the Court of Appeal (Civil) Amendment Rules 2013.

2 Commencement

These rules come into force on 1 July 2013.

3 Principal rules

These rules amend the Court of Appeal (Civil) Rules 2005 (the **principal rules**).

4 Rule 40 amended (Filing and form of case on appeal)

- (1) In rule 40(2)(b), replace “6” with “3”.
- (2) After rule 40(5), insert:
 - “(6) If the period commencing on 25 December in one year and ending on 15 January in the next year includes any days in the 3-month period calculated in accordance with subclause (2)(b), that 3-month period is extended by the number of those days.”

Rebecca Kitteridge,
Clerk of the Executive Council.

Explanatory note

This note is not part of the rules, but is intended to indicate their general effect.

These rules, which come into force on 1 July 2013, make changes to rule 40 of the Court of Appeal (Civil) Rules 2005 that are consequential on changes made by the Court of Appeal (Civil) Amendment Rules 2012 (which reduced the time limit for the making of an application for a hearing date and for filing the case on appeal after

lodging a case on appeal in the Court of Appeal from 6 months to 3 months).

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 23 May 2013.
These rules are administered by the Ministry of Justice.
