



**THE DISTRICT LAW PRACTITIONERS DISCIPLINARY
TRIBUNALS RULES 1984, AMENDMENT NO. 1**

PURSUANT to section 130 of the Law Practitioners Act 1982, the New Zealand Law Practitioners Disciplinary Tribunal hereby makes the following rules.

RULES

1. Title and commencement—(1) These rules may be cited as the District Law Practitioners Disciplinary Tribunals Rules 1984, Amendment No. 1, and shall be read together with and deemed part of the District Law Practitioners Disciplinary Tribunals Rules 1984* (hereinafter referred to as the principal rules).

(2) These rules shall come into force on the 15th day of January 1990.

2. Appeals to Tribunal—The principal rules are hereby amended by inserting, after Part I, the following Part:

“PART IA

“APPEALS TO THE TRIBUNAL

“12A. Notice of appeal—(1) Any appeal under section 102 by a practitioner or an employee against an order of a District Council or a complaints committee shall be made by lodging with the Secretary, not later than 14 days after the date of service of the order, a notice of appeal in form 4.

“(2) The notice shall state the grounds of the appeal and the relief sought.

“(3) Either before or immediately after the lodging of the notice of appeal, the appellant shall serve a copy of the notice on the Secretary to the District Law Society.

“12B. Furnishing of record of proceedings before District Council or complaints committee—The Secretary to the District Law Society shall—

“(a) As soon as practicable after receiving the copy of the notice of appeal under rule 12A of these rules, send to the Secretary—

“(i) A complete copy or transcript of the record of the proceedings of the District Council or complaints committee; and

“(ii) Copies of all letters or documents in the possession of the District Law Society relating to the subject-matter of the appeal; and

“(b) From time to time furnish to the Tribunal such further information as it may require for the hearing and disposal of the appeal.

“12C. **Notice of hearing**—(1) The Tribunal or its Chairman, or the Secretary, or a member acting with the authority of the Tribunal or the Chairman, shall fix a day, time, and place for the hearing of the appeal.

“(2) Not less than 21 clear days before the day of hearing, the Secretary shall serve or cause to be served on the appellant and on the Secretary to the District Law Society a notice in writing of the day, time, and place so fixed.

“12D. **Service of order**—If the Tribunal makes an order under section 102, the Secretary shall serve or cause to be served a copy of it on the appellant and on the Secretary to the District Law Society and on any other person specified by the Tribunal for the purpose.”

3. Savings—Rule 26 of the principal rules is hereby amended by omitting the word “has”, and substituting the word “had”.

4. New form 4—The Schedule to the principal rules is hereby amended by adding the form 4 set out in the Schedule to these rules.

SCHEDULE

NEW FORM 4 PRESCRIBED

Form 4—Notice of Appeal

Rule 12A

BEFORE THE LAW PRACTITIONERS DISCIPLINARY TRIBUNAL

IN THE MATTER of the Law
Practitioners Act 1982

and

IN THE MATTER of C.D., a barrister
and solicitor/employee of a
barrister and solicitor

..... hereby appeals, pursuant to section 102 of the Law Practitioners Act 1982, against the decision of the Council/Complaints Committee of the District Law Society given at onday the day of 19.....

The grounds of the appeal are:

The relief sought is:

Dated at this day of 19.....

.....
A copy of this notice has been (is being) sent to the Secretary to the District Law Society.

The appellants address for service is

DATE OF MAKING OF RULES

THE foregoing rules were duly made by the New Zealand Law Practitioners Disciplinary Tribunal at a meeting of the Tribunal held at Wellington on the 31st day of October 1988.

N. S. Marquet,
Chairman of the Tribunal.

W. M. Rodgers,
Secretary to the Tribunal.

EXPLANATORY NOTE

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

These rules were made by the New Zealand Law Practitioners Disciplinary Tribunal pursuant to section 130 of the Law Practitioners Act 1982, and amend the District Law Practitioners Disciplinary Tribunals Rules 1984.

Rule 2 inserts a new Part 1A governing the procedure to be followed on appeal to a District Disciplinary Tribunal against an order of the District Council or complaints committee of a District Law Society.

Rule 3 corrects an error in the principal rules.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 15 January 1990.
These rules are administered in the Department of Justice.