

**1961/13**

**THE MAGISTRATES' COURTS RULES 1948,  
AMENDMENT NO. 3**

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**COBHAM, Governor-General  
ORDER IN COUNCIL**

At the Government Buildings at Wellington this 27th day of February  
1961

Present:

**THE RIGHT HON. KEITH HOLYOAKE, PRESIDING IN COUNCIL**

PURSUANT to the Magistrates' Courts Act 1947, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following rules.

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**R U L E S**

1. These rules may be cited as the Magistrates' Courts Rules 1948, Amendment No. 3, and shall be read together with and deemed part of the Magistrates' Courts Rules 1948\* (hereinafter referred to as the principal rules).

2. Subclause (2) of rule 338 of the principal rules is hereby revoked.

**T. J. SHERRARD,**  
Clerk of the Executive Council.

\*S.R. 1948/197  
Amendment No. 1: S.R. 1952/242  
Amendment No. 2: S.R. 1956/81

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**EXPLANATORY NOTE**

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

Rule 338 (2) of the principal rules provides that a solicitor withdrawing money from a Magistrate's Court on behalf of a party shall lodge his Trust Account receipt with the Registrar. All such payments are made by cheque and, in view of the provisions of the Cheques Act 1960, the rule is no longer necessary.

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Issued under the authority of the Regulations Act 1936.  
Date of notification in *Gazette*: 2 March 1961.  
These regulations are administered in the Department of Justice.