

**1973/174**

**THE SUPREME COURT AMENDMENT RULES (NO. 2) 1973**

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**DENIS BLUNDELL, Governor-General**  
**ORDER IN COUNCIL**

At the Government House at Wellington this 2nd day of July 1973

Present:

**HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL**

PURSUANT to the Judicature Act 1908, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and with the concurrence of the Right Honourable the Chief Justice and at least two of the other members of the Rules Committee constituted under the Judicature Amendment Act 1930, as amended by section 2 of the Judicature Amendment Act (No. 2) 1968 (of whom at least one was a Judge of the Supreme Court), hereby makes the following rules.

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**RULES**

**1. Title and commencement**—(1) These rules may be cited as the Supreme Court Amendment Rules (No. 2) 1973, and shall be read together with and deemed part of the Code of Civil Procedure set out in the Second Schedule to the Judicature Act 1908 (hereinafter referred to as the Code).

(2) These rules shall come into force on the day after the date of their notification in the *Gazette*.

**2. Amendments consequential on abolition of Supreme Court Districts**—(1) Rule 415 of the Code (as substituted by rule 3 of the Supreme Court Amendment Rules (No. 2) 1954\*) is hereby amended by omitting from subclause (1) the words “the town where the Judge ordinarily presiding in the judicial district in which that registry is situated may be for the time being”, and substituting the words “a town where a Judge ordinarily presides”.

(2) Rule 426H of the Code (as substituted by rule 3 of the Supreme Court Amendment Rules (No. 2) 1954\*) is hereby amended by omitting from subclause (3) the words “, whether of the same district or not,”.

**3. Renumbering of rule**—The Code is hereby amended by renumbering rule 582A (as inserted by rule 4 of the Supreme Court Amendment Rules 1971\*) as rule 582c so that that rule and its heading will now appear in Part IX after rule 582B (as inserted by rule 2 of the Supreme Court Amendment Rules 1973†).

**4. Amendments consequential on abolition of Sheriffs' districts**—The First Schedule to the Code is hereby amended—

- (a) By omitting from form No. 29, and also from form No. 32, the words “Sheriff of”, and substituting in each case the words “Sheriff at”;
- (b) By omitting from form No. 29, and also from form No. 32, the words “in your district”.

P. G. MILLEN,  
Clerk of the Executive Council.

\*S.R. 1971/254  
†S.R. 1973/39

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#### EXPLANATORY NOTE

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

These rules amend the Code of Civil Procedure.

Rule 2 makes amendments that are consequential on the abolition of the Supreme Court districts.

Rule 3 renumbers one of the rules.

Rule 4 makes amendments that are consequential on the abolition of Sheriffs' districts.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 5 July 1973.

These rules are administered in the Department of Justice.