

**Reprint**  
**as at 1 November 2009**

**District Courts Amendment Rules**  
**2002**

(SR 2002/133)

District Courts Amendment Rules 2002: revoked, on 1 November 2009,  
pursuant to rule 17.1 of the District Courts Rules 2009 (SR 2009/257).

Pursuant to section 122 of the District Courts Act 1947, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, and with the concurrence of the Chief District Court Judge and at least 2 other members of the Rules Committee (of whom at least 1 was a District Court Judge) makes the following rules.

**Contents**

	Page
1 Title	2
2 Commencement	2
3 New rule 44 substituted	2
44 Change of representation or address for service	2
4 New form 3 substituted in Schedule 1	3
<b>Schedule</b>	3
<b>New form 3 substituted in Schedule 1 of principal rules</b>	

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**Note**

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this eprint.

A general outline of these changes is set out in the notes at the end of this eprint, together with other explanatory material about this eprint.

**These rules are administered in the Ministry of Justice and the Department for Courts.**

**1 Title**

- (1) These rules are the District Courts Amendment Rules 2002.
- (2) In these rules, the District Courts Rules 1992<sup>1</sup> are called “the principal rules”.

**2 Commencement**

These rules come into force on 1 July 2002.

**3 New rule 44 substituted**

The principal rules are amended by revoking rule 44, and substituting the following rule:

**“44 Change of representation or address for service**

- “(1) A party must file and serve on every other party to the proceeding a notice of change of representation if—
  - “(a) the party has acted in person and appoints a solicitor to act for that party; or
  - “(b) the party wishes to change that party’s solicitor; or
  - “(c) the party for whom a solicitor has acted wishes to act in person.
- “(2) If the party’s address for service after the change of representation will be different from that which applied before the change, the party must also serve a copy of the notice at the address that was, immediately before the change, the party’s address for service.
- “(3) The notice—
  - “(a) must be signed by the party personally or by the party’s attorney; and
  - “(b) in the case of a notice under subclause (1)(a) or (b), must contain the information about the new solicitor required by paragraphs (b) to (e) of rule 43(1); and
  - “(c) in the case of a party referred to in subclause (1)(c), must state that the party’s intention is to act in person.
- “(4) For the purpose of the proceeding, the change of representation takes effect on the filing of an affidavit proving service in accordance with subclause (1) and exhibiting and verifying a copy of the notice served.
- “(5) A party may change that party’s address for service by—

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<sup>1</sup> SR 1992/109



Form 3—*continued*

(General heading—Form 1 and endorsement)

.....

Plaintiff *or* Defendant *or*  
Third Party

*[If this document notifies a  
change of solicitor, it must be  
signed by the party personally  
or by the party's attorney.]*

To: The Registrar of the District Court at  
and to [*name of other party to proceeding*].

\*Delete if inapplicable.

Diane Wilderspin,  
Acting for Clerk of the Executive Council.

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Issued under the authority of the Acts and Regulations Publication Act 1989.  
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## **Contents**

- 1 General
  - 2 About this eprint
  - 3 List of amendments incorporated in this eprint (most recent first)
- 

## **Notes**

### **1 *General***

This is an eprint of the District Courts Amendment Rules 2002. It incorporates all the amendments to the rules as at 1 November 2009. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 3 September 2007.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions are also included, after the principal enactment, in chronological order. For more information, *see* <http://www.pco.parliament.govt.nz/reprints/>.

### **2 *About this eprint***

This eprint has not been officialised. For more information about officialisation, please *see* “Making online legislation official” under “Status of legislation on this site” in the About section of this website.

### **3 *List of amendments incorporated in this eprint (most recent first)***

District Courts Rules 2009 (SR 2009/257): rule 17.1

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