

Reprint
as at 1 November 2009

**District Courts Amendment Rules
(No 2) 2005**

(SR 2005/149)

District Courts Amendment Rules (No 2) 2005: 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 members of the Rules Committee established under section 51B of the Judicature Act 1908 (of whom at least 1 was a District Court Judge), makes the following rules.

Contents

	Page
1 Title	2
2 Commencement	2
3 Search of Court records generally	2
4 Change of name	2
5 New rule 118 substituted	2
118 Joining claims by or against spouses or partners	2
6 New rule 231 substituted	3
231 Personal service on spouses or partners	3

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.

7 Effect of minor ceasing to be child 3

1 Title

- (1) These rules are the District Courts Amendment Rules (No 2) 2005.
- (2) In these rules, the District Courts Rules 1992¹ are called “the principal rules”.

2 Commencement

These rules come into force on 1 July 2005.

3 Search of Court records generally

- (1) Rule 69(4) of the principal rules is amended by inserting, after paragraph (c), the following paragraph:
“(ca) the Civil Union Act 2004.”.
- (2) Rule 69(4) of the principal rules is amended by inserting, after paragraph (g), the following paragraph:
“(ga) the Care of Children Act 2004.”.

4 Change of name

Rule 111 of the principal rules is amended by omitting the words “or by deed poll”, and substituting the words “, by civil union, by deed poll,”.

5 New rule 118 substituted

The principal rules are amended by revoking rule 118, and substituting the following rule:

“118 Joining claims by or against spouses or partners

Claims by or against spouses, civil union partners, or de facto partners may be joined with claims by or against either of those spouses, civil union partners, or de facto partners if the opposite party is the same person.”

¹ SR 1992/109

6 New rule 231 substituted

The principal rules are amended by revoking rule 231, and substituting the following rule:

“231 Personal service on spouses or partners

“(1) This rule applies when defendants to a proceeding are—

“(a) husband and wife; or

“(b) civil union partners; or

“(c) de facto partners.

“(2) When this rule applies, service on one spouse, civil union partner, or de facto partner, as the case may be, is not treated as service on the other unless the Court so orders.”

7 Effect of minor ceasing to be child

Rule 461U(1) of the principal rules is amended by omitting the words “or marries”, and substituting the words “, or marries or enters into a civil union”.

Diane Morcom,
Clerk of the Executive Council.

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 (No 2) 2005. 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
