



ANALYSIS

Title 1. Short Title and commencement 2. District Court Rules	3. Regulations 4. Status of District Courts Fees Rules 1997
---	---

1999, No. 89

An Act to amend the District Courts Act 1947

[3 August 1999]

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title and commencement—(1) This Act may be cited as the District Courts Amendment Act (No. 2) 1999, and is part of the District Courts Act 1947 (“the principal Act”).

(2) This Act comes into force on the day that is 28 days after the date on which this Act receives the Royal assent.

2. District Court Rules—(1) Section 122 of the principal Act is amended by repealing subsection (1), and substituting the following subsections:

“(1) The Governor-General may from time to time, by Order in Council, with the concurrence of the Chief District Court Judge and 2 or more members of the Rules Committee established under section 51B of the Judicature Act 1908 of whom at least 1 is a District Court Judge, make rules regulating the practice and procedure of the Court in the exercise of jurisdiction conferred by this Act.

“(1A) The Governor-General may from time to time, by Order in Council, make rules regulating the practice and procedure of the Court in relation to the exercise of jurisdiction conferred by other Acts.”

(2) Section 122 (3) of the principal Act is amended by repealing paragraphs (h) and (i).

3. Regulations—The principal Act is amended by repealing section 123, and substituting the following section:

“123. The Governor-General may from time to time, by Order in Council, make regulations for all or any of the following purposes:

“(a) Prescribing fees payable in respect of proceedings, including fees for the service of documents, in the District Court pursuant to this Act or other Acts:

“(b) Prescribing fees payable to persons giving evidence and to referees and arbitrators in proceedings in the District Court pursuant to this Act or other Acts:

“(c) Providing for such matters as are contemplated by or necessary for giving full effect to the provisions of this Act and for its due administration.”

4. Status of District Courts Fees Rules 1997—(1) Clause 1 of the District Courts Fees Rules 1997 is amended by omitting the word “Rules”, and substituting the word “Regulations”.

(2) The rules with the title so amended must be treated as having been made under section 123 of the principal Act (as substituted by section 3 of this Act).

This Act is administered in the Ministry of Justice and the Department for Courts.
