



New South Wales

# District Court Amendment (Probate and Administration) Rule 2014

under the

District Court Act 1973

The District Court Rule Committee has made the following rule of court under the *District Court Act 1973*.

A Grew  
Secretary of the Rule Committee

## **Explanatory note**

The objects of this Rule are to apply Part 78 (Probate and Administration) of the *Supreme Court Rules 1970* to proceedings before the District Court under Chapter 3 of the *Succession Act 2006* and to make provision with respect to proceedings before the District Court under the *Testator's Family Maintenance and Guardianship of Infants Act 1916*.

## District Court Amendment (Probate and Administration) Rule 2014

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### 1 Name of Rule

This Rule is the *District Court Amendment (Probate and Administration) Rule 2014*.

### 2 Commencement

This Rule commences on the day on which it is published on the NSW legislation website.

### 3 Amendment of District Court Rules 1973

#### Part 51D

Omit the Part. Insert instead:

## Part 51D Succession Act 2006 and Testator's Family Maintenance and Guardianship of Infants Act 1916

### 1 Succession Act 2006

The provisions of Schedule J to the *Supreme Court Rules 1970* referable to the *Succession Act 2006* and Part 78 of the *Supreme Court Rules 1970* apply to proceedings before the District Court under Chapter 3 of that Act in the same way as they apply to proceedings before the Supreme Court.

### 2 Testator's Family Maintenance and Guardianship of Infants Act 1916

The provisions of Schedule J to the *Supreme Court Rules 1970* referable to the *Testator's Family Maintenance and Guardianship of Infants Act 1916* apply to proceedings before the District Court under section 3 of the *Testator's Family Maintenance and Guardianship of Infants Act 1916* (as in force immediately before that Act was amended by the *Succession Amendment (Intestacy) Act 2009*) in the same way as they apply to proceedings before the Supreme Court.

### 3 Form of documents

If a provision of Part 78 of, or Schedule J to, the *Supreme Court Rules 1970* requires a document to be in a form approved under section 17 of the *Civil Procedure Act 2005* in proceedings in the Supreme Court under the *Succession Act 2006* or *Testator's Family Maintenance and Guardianship of Infants Act 1916*, the document is to be in that form in proceedings in the District Court.