



District Court Amendment (Defences) Rule 2003

under the

District Court Act 1973

The District Court Rule Committee made the following rule of court under the *District Court Act 1973* on 6 March 2003.

A Liounis

Acting Secretary of the Rule Committee

Explanatory note

The object of this Rule is to amend Part 10 rule 1 of the *District Court Rules 1973* to provide that a defendant in proceedings commenced by an ordinary statement of claim may file a notice of grounds of defence only within 2 months of the service on the defendant of the statement of claim unless the Court grants leave for it to be filed after the expiry of that period. Currently, rule 1 provides that such a notice may be filed at any time before judgment.

2003 No 258

Clause 1 District Court Amendment (Defences) Rule 2003

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under the

District Court Act 1973

1 Name of Rule

This Rule is the *District Court Amendment (Defences) Rule 2003*.

2 Amendment of District Court Rules 1973

The *District Court Rules 1973* are amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 2)

[1] Part 10 rule 1

Omit “at any time before judgment” from rule 1 (1).

Insert instead “, within 2 months after service of the statement of claim on the defendant,”.

[2] Part 10 rule 1 (3)

Omit “as soon as practicable”.

Insert instead “within 14 days of filing”.

[3] Part 10 rule 1 (5)

Insert after rule 1 (4):

- (5) A defendant may file a notice of grounds of defence after the period referred to in subrule (1) has expired only with the leave of the Court.