

The principal variation in this proposed Local Courts Code from that prepared for the superior Court will be found in the mode of commencement of actions. In the local Courts it is made necessary that the original summons be delivered to the serving officer, so that, after comparison, affidavit of service may be indorsed upon the original, otherwise, where the summons is sent to remote parts, or even out of the district, the serving officer would have no opportunity of comparing the original and copy. The plaint and a statement of claim will be lodged in the office of the Court in place of the writ of summons.

No forms have been prepared, as the Sub-Committee have not been furnished with the forms proposed to be used in the Supreme Court, but those forms can be readily adapted to the local Courts procedure.

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NEW ZEALAND CODE OF CIVIL PROCEDURE IN LOCAL COURTS.

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[The following Rules shall regulate the proceedings in actions in the Local Courts of New Zealand.]

PART I.—COMMENCEMENT OF ACTION

CHAPTER I.

THE PLAINT.

1. Every action shall be commenced by a plaint, which shall be in the Form No. 1 in the Schedule hereto, marked "A," and shall be signed by the plaintiff, and lodged in the office of the Court out of which the summons hereinafter mentioned shall issue, which plaints shall be numbered consecutively in each year by the Clerk of the Court, and shall be entered by him in a book to be kept for that purpose.

FORM OF SUMMONS.

2. The summons in every action shall be in the Form No. 2 in the Schedule hereto, and in cases where the sum claimed exceeds £20 shall require the defendant to file a statement of his defence to the plaintiff's claim, and to serve a copy upon the plaintiff or his solicitor within such time and at such