## DISTRICT COURTS

## PRACTICE DIRECTION NO. 3 OF 1997 REMITTING OF ACTIONS TO THE MAGISTRATES COURT

This Practice Direction provides for the removal of proceedings by consent to the Magistrates Court in cases to which Section 78(1)(a) or (b) of the District Courts Act 1967 applies. It replaces Practice Direction No. 2 of 1993.

Under rule 331 of the District Courts Rules the Registrar has power to make orders by consent. This power can authorise the making of consent orders for the remittal of proceedings to the Magistrates Courts under Section 78 of the District Courts Act 1967. When the power of the Registrar to make such orders is invoked, it will be necessary for all parties to provide written indication of their consent in the form below.

Chief Judge of District Courts August 1997

## IN THE DISTRICT COURT HELD AT .....

No of 19

BETWEEN

AND:

Plaintiff

Defendant

## CONSENT SECTION 78(1) DISTRICT COURTS ACT 1967

We, the undersigned, acknowledge that the abovementioned proceeding is one which can be tried within the Magistrates Courts and hereby consent to the Registrar drawing up, signing and sealing an order in the following terms:

If the case is one within Section 78(1)(a), add the following:

2. That the costs incurred before the making of this order shall be allowed according to the scale prescribed in the Court.

DATED this

day of

, 19 .

Solicitors for Plaintiff Solicitors for Defendant

\* Delete whichever is not applicable