



New South Wales

Uniform Civil Procedure (Amendment No 105) Rule 2025

under the

Civil Procedure Act 2005

The Uniform Rules Committee has made the following rule of court under the *Civil Procedure Act 2005*.

REBEL KENNA

Secretary of the Uniform Rules Committee

Explanatory note

The object of this rule is to amend the circumstances in which a party to proceedings requires leave of the court before issuing a subpoena.

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1 Name of rule

This rule is the *Uniform Civil Procedure (Amendment No 105) Rule 2025*.

2 Commencement

This rule commences on the day on which this rule is published on the NSW legislation website.

Schedule 1 Amendment of Uniform Civil Procedure Rules 2005

Rule 7.3 Issue of subpoena in certain circumstances requires leave

Omit rule 7.3(1) and (3). Insert instead—

- (1) A subpoena must not be issued in proceedings without leave of the court if—
 - (a) the party requesting the subpoena is not represented by a solicitor, or
 - (b) a party to the proceedings has not entered an appearance, or
 - (c) there is no defendant in the proceedings, or
 - (d) the subpoena is in relation to proceedings in the Small Claims Division of the Local Court.