
EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Rules of the Supreme Court 1965 so as—

- (a) to reduce from 12 to 4 months the time for which a writ or an originating summons is valid for service (except an originating summons under Order 97, rule 6 where, as now, the summons is valid for 2 months) and to amend the rules on extending validity(*Rules 2 to 7*);
- (b) to require a party against whom a claim for damages is made to plead any facts on which he relies in mitigation of the amount of damages(*Rules 8 to 11*);
- (c) to require the provision of a medical report and of a detailed statement of special damages with the statement of claim in an action claiming damages for personal injuries(*Rules 12 to 16*);
- (d) to require the Court to consider whether a split trial should be ordered on the summons for directions and to enable the Court in an action for personal injuries to make of its own motion an order providing for the issue of liability to be tried before any issue as to damages(*Rules 17 and 18*);
- (e) to enable interrogatories to be administered (on not more than two occasions) without a court order(*Rules 19 and 20*);
- (f) to require a defendant to specify in an offer to submit to a provisional award the type of disease for which an application for an award of further damages may subsequently be made (Rule 21);
- (g) to strengthen the power of the Court to penalise in costs a party who unjustifiably fails to make admissions of facts or documents (Rules 22 and 23);
- (h) to extend to proceedings begun by originating summons the power of the Court to order affidavits or particulars of any claim to stand as informal pleadings and to enable the Court to require points of claim to be provided (Rule 24);
- (i) to enable a party to an action for libel or slander, who has not accepted a payment into court but is contemplating doing so, to apply to the judge for a statement to be made clearing his name(*Rule 25*);
- (j) to extend to actions for malicious prosecution and false imprisonment the procedure for actions for libel or slander whereby a party who is either contemplating accepting a payment into court or has already done so, to apply to the judge for a statement to be made clearing his name(*Rule 26*);
- (k) to require a party seeking summary possession of land to indicate whether or not residential premises are situated on the land(*Rule 27*);
- (l) to amend the form of acknowledgement of service (Rule 28).