Document Generated: 2024-04-28

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. Read more

EXPLANATORY NOTE

These Rules amend the Rules of the Supreme Court in a number of respects. The period which must elapse between the service of a summons under Order 14 and the return day is extended from 4 clear days to 10 clear days (Rule 2). It will no longer be necessary to obtain leave for any amendment to a writ which has not yet been served (Rule 3). Order 22 is amended, first, to abolish the need for a solicitor to have his client's express authority to receive money out of court and, secondly, to enable the management of a fund under the control of the court to be entrusted to the Public Trustee under a declaration of trust (Rule 4). The classes of Chancery masters' orders which, instead of being drawn up by or under the authority of a Chancery registrar, may be drawn up by a party's solicitor are widened to include all interlocutory orders, and other changes are made in relation to the drawing up of Chancery orders (Rule 5). Section 6 of the Sunday Observance Act 1677 (c.7), which is repealed by the Statute Law (Repeals) Act 1969 (c.52), is replaced by a new rule (Order 65, rule 10) forbidding the service or execution of process on a Sunday, except, in case of urgency, with the leave of the court (Rule 6), and consequential amendments are made in other rules (Rule 7). The sum which can be paid out of court on an ex parte application to the Chief Chancery Master is raised from £200 to £500 and power is given to dispense with an affidavit (Rule 8).