

1973 No. 1384 (L.22)
SUPREME COURT OF JUDICATURE, ENGLAND
PROCEDURE
The Rules of the Supreme Court (Amendment) 1973

<i>Made</i> - - - -	31st July 1973
<i>Laid before Parliament</i>	13th August 1973
<i>Coming into Operation</i>	1st October 1973

We, the Rule Committee of the Supreme Court, being the authority having for the time being power under section 99(4) of the Supreme Court of Judicature (Consolidation) Act 1925(a) to make, amend or revoke rules regulating the practice and procedure of the Supreme Court of Judicature, hereby exercise those powers and all other powers enabling us in that behalf as follows:—

1.—(1) These Rules may be cited as the Rules of the Supreme Court (Amendment) 1973 and shall come into operation on 1st October 1973.

(2) In these Rules an Order referred to by number means the Order so numbered in the Rules of the Supreme Court 1965(b), as amended(c).

(3) The Interpretation Act 1889(d) shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

2. For Order 6, rule 2(1)(c)(ii), there shall be substituted the following subparagraph:—

“(ii) if it does, whether the rateable value of the premises on every day specified by section 1(1) of the Rent Act 1968(e) in relation to the premises exceeds the sum so specified.”

3. In Order 13, rule 4(2), and Order 19, rule 5(2), for the words from “exceeds” to the end there shall in each case be substituted the words “on every day specified by section 1(1) of the Rent Act 1968 in relation to the premises exceeds the sum so specified”.

4. Order 48, rule 1, shall be amended as follows:—

(1) At the end of paragraph (1) there shall be added the following paragraph:—

“In this paragraph “registrar” includes the registrar of a district registry or county court, and where the Court appoints such a registrar without specifying him personally, the examination may, if he thinks fit, be conducted on his behalf by a nominated officer of that registry or county court.”

(a) 1925 c. 49.

(b) S.I. 1965/1776 (1965 III, p. 4995).

(c) The relevant amending instruments are S.I. 1966/1514, 1967/829 (1966 III, p. 4196; 1967 II, p. 2476).

(d) 1889 c. 63.

(e) 1968 c. 23.

- (2) In paragraph (3) after the words "or practice master" there shall be inserted the words "(or, in the case of an examination at the principal registry of the Family Division, a district registry or a county court, a registrar of that registry, district registry or county court respectively)".
- (3) For paragraph (4) there shall be substituted the following paragraph:—
- "(4) In this rule "nominated officer" in relation to an examination which is to take place at the Central Office, the principal registry of the Family Division, a district registry or a county court means such of the officers of that Office, registry, district registry or county court of a grade not lower than that of higher executive officer as may be nominated for the purposes of this rule by the senior master, the senior registrar of the Family Division or the registrar of that district registry or county court respectively."

Dated 31st July 1973.

Hailsham of St. Marylebone, C.
Widgery, C.J.
Denning, M.R.
George Baker, P.
John Pennycuik, V.-C.
Eustace Roskill, L.J.
Nigel Bridge, J.
Ralph Cusack, J.
James Fox-Andrews.
P. J. Millett.
William Carter.
H. Montgomery-Campbell.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules amend the provisions of the Rules of the Supreme Court relating to the indorsement of the writ and the entry of default judgment in actions for the recovery of land so as to take account of section 14 of the Counter-Inflation Act 1973 (c. 9) (Rules 2 and 3). They also extend the classes of person before whom the oral examination of a judgment debtor may take place (Rule 4).

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