
STATUTORY INSTRUMENTS

1988 No. 298

The Rules of the Supreme Court (Amendment) 1988

Banking Act 1987(1)

13. Order 93 shall be amended by inserting after rule 22 the following new rule—

“Proceedings under the Banking Act 1987

23.—(1) In this rule “the Act” means the Banking Act 1987 and a section referred to by number means the section so numbered in the Act.

(2) Proceedings in the High Court under the following sections of the Act shall be assigned to the Chancery Division and shall be begun—

(a) as to applications under sections 26(3), 71(3) and (5) and 77(3) and (5), by originating summons;

(b) as to appeals under section 31(1), by originating motion;

(c) as to applications under sections 48(1), 49(1) and 93(1) and (2), by writ.

(3) No order shall be made under section 48(1) against any person unless he is a party to the proceedings.

(4) Where an application has been made under section 71(3) or (5) or section 77(3) or (5) the Bank of England shall within 28 days after service on it of copies of the plaintiff’s affidavit evidence cause an affidavit to be made, filed and served on the plaintiff setting out the reasons for its objection to the plaintiff’s name.”.