

SCHEDULE

THE JUDICIAL COMMITTEE (DEVOLUTION ISSUES) RULES 1999

PART I

GENERAL

Application

1.1.—(1) These rules apply to proceedings in the Judicial Committee of the Privy Council as follows.

- (2) Parts I, II and V apply to proceedings under the Scotland Act 1998⁽¹⁾.
- (3) Parts I, III and V apply to proceedings under the Government of Wales Act 1998⁽²⁾.
- (4) Parts I, IV and V apply to proceedings under the Northern Ireland Act 1998⁽³⁾.

Interpretation

1.2.—(1) In these rules, unless the context otherwise requires—

- “appendix” means an appendix prepared pursuant to rules 5.21, 5.22 and 5.57;
- “Board” means a Board of the Judicial Committee comprising a quorum (or more) of members of the Committee;
- “Case” means a succinct written statement of a party’s argument prepared in accordance with rules 5.30, 5.31 and 5.56;
- “counsel”, in relation to any proceedings, includes any person with a right of audience before the Judicial Committee in those proceedings;
- “court” includes a tribunal;
- “judgment” includes decree, order, sentence, decision, determination or declaration of any court, judge or judicial officer;
- “Judicial Committee” means the Judicial Committee of the Privy Council;
- “Law Officer” means the Attorney General, the Lord Advocate, the Advocate General for Scotland or the Attorney General for Northern Ireland;
- “Registrar” means the Registrar of the Privy Council;
- “Registry” means the Registry of the Judicial Committee, Downing Street, London SW1.;
- “solicitor” includes a London agent;
- “statement” means a statement of facts and issues prepared pursuant to rule 5.20.

(2) Where by these rules any step is required to be taken in connection with proceedings in the Judicial Committee, whether in the way of lodging a document, entering an appearance, lodging security, or otherwise, such step shall be taken in the Registry.

(3) Where a party is acting in person in any proceedings references in these rules to that party’s counsel or solicitor shall, except in rule 5.14(2), be construed as references to that party in person

(1) 1998 c. 46.
(2) 1998 c. 38.
(3) 1998 c. 47.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Lodgement and service

1.3 .

(1) Documents need not be lodged personally but may not be lodged by facsimile transfer (“fax”), nor may service on a party be effected by fax unless and then only to the extent that that party has indicated that he is willing to accept service by that means. Notifications sent by fax should be followed by dispatch of the original to the recipient.

(2) Where under these rules a petition or reference is to be lodged and served on another party the original petition or reference that is lodged shall be endorsed with a signed certificate of service accompanied by an affidavit of service.

Conduct of litigation in the Judicial Committee

1.4.—(1) Notwithstanding the Order in Council of 6th March 1896 relating to the admission of proctors, solicitors and agents to practise before the Privy Council, any person who has a right to conduct litigation in any of the superior courts of England and Wales, Scotland or Northern Ireland may conduct litigation in the Judicial Committee and no declaration or enrolment shall be required.

(2) Solicitors outside London may appoint London agents. Any additional costs incurred as a result of a decision not to do so may be disallowed on taxation.

Mode of addressing petitions and references

1.5 All petitions, references and notices of motion shall be addressed to the Judicial Committee.

Appearance by petitioner

1.6 A person who lodges a reference, or a petition of appeal shall also lodge a completed appearance form but shall not be required to pay any separate fee therefor.