STATUTORY INSTRUMENTS

# 1963 No. 2067

# BANKRUPTCY, ENGLAND

## The Bankruptcy (Amendment) Rules 1963

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| *Made* - - - - | 18*th December* 1963 |
| *Laid before Parliament* | 23*rd December* 1963 |
| *Coming into Operation* | 13*th January* 1964 |

I, Reginald Edward, Baron Dilhorne, Lord High Chancellor of Great Britain, with the concurrence of the President of the Board of Trade, in exercise of the powers conferred on me by section 132 of the Bankruptcy Act 1914(a), hereby make the following Rules:—

**1.** The Bankruptcy Rules 1952(b), as amended(c), shall have effect subject to the following amendments:—

(*a*) In Rule 4 the following definitions shall be substituted for those of "Taxing Officer" and "Bankruptcy Taxing Master":—

"Taxing Office" means the Taxing Department of the Central Office of the Supreme Court of Judicature and "Taxing Master" means a Master of the Supreme Court (Taxing Office).

"Taxing Officer" means, in relation to a bill of costs taxed in the High Court, either the Taxing Master or any Principal Clerk having jurisdiction in respect of the bill under Rule 98 and, in relation to a bill of costs taxed in a county court, the Registrar of that court.

(*b*) For Rule 96 there shall be substituted the following Rule:—

"96.—(1) Business relating to taxation in the High Court in Bankruptcy shall be regulated and distributed by the Taxing Masters among themselves in such manner as they deem expedient.

(2) Every Taxing Master may tax, review or assist in the taxation or review of any costs, charges or expenses referred to any other Taxing Master for taxation or review."

(*c*) In Rule 97 the expression "Taxing Master" shall be substituted for the expression "Bankruptcy Taxing Master".

(*d*) For paragraph (1) of Rule 98 there shall be substituted the following paragraph:—

"(1) Subject to the provisions of this Rule, a Principal Clerk of the Taxing Office shall, by leave of the Taxing Master, have power to tax costs, charges or expenses in any matter where the total amount of the bill does not exceed £500 and to sign allocaturs where the amount allowed does not exceed £200."

(*e*) Paragraph (2) of Rule 98 shall be omitted.

(*f*) Paragraphs (3) and (4) of Rule 98 shall be renumbered (2) and (3) and in both paragraphs the expression "Taxing Master" shall be substituted for the expression "Bankruptcy Taxing Master".

(a) 4 & 5 Geo. 5. c. 59. (b) S.I. 1952/2113 (1952 I, p. 213).
(c) The relevant amending instrument is S.I. 1956/1197 (1956 I, p. 370).

(*g*) For Rule 105 there shall be substituted the following Rule :—

" 105. There shall be kept in the Taxing Office and in each county court a register of all bills taxed under these Rules, and a return of the bills so taxed during the preceding calendar year shall be made to the Board of Trade on or before 14th January of the following year."

(*h*) In Rule 114 the expression " Taxing Master " shall be substituted for the expression " Bankruptcy Taxing Master " wherever it occurs.

(*i*) For Rule 123 there shall be substituted the following Rule :—

" 123.—(1) Subject to paragraph (2) of this Rule, the office of the Chief Bankruptcy Registrar of the High Court shall be kept open every day from 10 a.m. to 4.30 p.m., except during the period beginning on 1st August and ending on 15th September in every year, when it shall be kept open from 10 a.m. to 2.30 p.m.

(2) The office shall be closed on Saturdays, Sundays, Christmas Day, Good Friday, Tuesday in Easter Week, Bank Holidays, any day appointed for public fast or thanksgiving and any day upon which the Judge of the High Court may direct that it be closed."

**2.** These Rules may be cited as the Bankruptcy (Amendment) Rules 1963 and shall come into operation on 13th January 1964.

Dated 18th December 1963.

*Dilhorne*, C.

I concur.

*Edward Heath*,
President of the Board of Trade.

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## EXPLANATORY NOTE

*(This Note is not part of the Rules, but is intended to indicate their general purport.)*

These Rules amend the Bankruptcy Rules 1952 so as to provide that costs in bankruptcy cases in the High Court shall be taxed in the Supreme Court Taxing Office. They also extend the times for the opening of the office of the Chief Bankruptcy Registrar.