LUNACY AND MENTAL TREATMENT, ENGLAND

1958 No. 399

The Management of Patients' Estates (Amendment) Rules, 1958

Made - - - -	12*th March*, 1958
Laid before Parliament	17*th March*, 1958
Coming into Operation	15*th April*, 1958

I, David, Viscount Kilmuir, Lord High Chancellor of Great Britain, in exercise of the powers conferred on me by subsection (2) of section 338 of the Lunacy Act, 1890(a), do hereby make the following Rules:—

1.—(1) These Rules may be cited as the Management of Patients' Estates (Amendment) Rules, 1958, and shall come into operation on the 15th day of April, 1958.

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

(3) In these Rules a Rule referred to by number means the Rule so numbered in the Management of Patients' Estates Rules, 1934(c).

2.—(1) For Rule 125 there shall be substituted the following Rule:—

"125. The reasonable and proper costs of proceedings under these Rules shall be taxed by or under the direction of a Taxing Master of the Supreme Court:

Provided that where the Master in Lunacy shall think fit to allow costs to any party, he may in his discretion direct payment of a gross sum in lieu of taxed costs."

(2) Rules 126 and 127 are hereby revoked.

Dated this 12th day of March, 1958.

Kilmuir, C.

EXPLANATORY NOTE

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

These Rules transfer the taxing jurisdiction of the Master in Lunacy to the Taxing Masters of the Supreme Court.

(a) 53 & 54 Vict. c. 5. (b) 52 & 53 Vict. c. 63.
(c) S.R. & O. 1934/269 (Rev. XIII, p. 10: 1934 I, p. 1109).