STATUTORY INSTRUMENTS

1964 No. 1212 (L. 12)

SUPREME COURT OF JUDICATURE, ENGLAND

PROCEDURE

The Matrimonial Causes (Amendment) Rules 1964

Made - - - -	*27th July* 1964
Laid before Parliament	*4th August* 1964
Coming into Operation	
Rules 1, 2, 3 - -	*1st October* 1964
Rule 4 - - -	*1st January* 1965

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 as follows :—

1.—(1) These Rules may be cited as the Matrimonial Causes (Amendment) Rules 1964.

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

(3) In these Rules, unless the context otherwise requires, a Rule or Appendix referred to by number means the Rule or Appendix so numbered in the Matrimonial Causes Rules 1957(**c**), as amended(**d**).

2. The following amendments shall be made in Rule 31 (which relates to setting down for trial):—

(*a*) In paragraph (5) the words " acting in person " and " he is acting in person and " shall be omitted.

(*b*) For sub-paragraph (*a*) of paragraph (6) there shall be substituted the following sub-paragraph :—

> " (*a*) in the case of any assizes at which the trial of matrimonial causes is to be begun on a date specified in an order made under article 6 of the Assizes Order 1964(**e**) and that date falls after the later of the days mentioned in sub-paragraph (*b*) below, the date so specified ; ".

3. In paragraph (9) of Rule 32 (which relates to trial in the provinces) for the word " Winchester " there shall be substituted the word " Ryde " and for the word " Southampton " there shall be substituted the words " Newport (Isle of Wight) ".

(a) 15 & 16 Geo. 5. c. 49. (b) 52 & 53 Vict. c. 63. (c) S.I. 1957/619 (1957 II, p. 2406).
(d) The relevant amending instrument is S.I. 1962/839 (1962 I, p. 932).
(e) S.I. 1964/279 (1964 I, p. 493).

4. Burnley, Coventry and Ryde shall be divorce towns and accordingly Appendix II shall be amended as follows:—

(*a*) after the word "Bristol (A)" there shall be inserted the word "Burnley";

(*b*) after the word "Chester (A)" there shall be inserted the word "Coventry";

(*c*) for the word "Newport (A)" there shall be substituted the words "Newport (Mon.) (A)";

(*d*) after the word "Reading" there shall be inserted the word "Ryde".

5. Rule 4 of these Rules shall come into operation on 1st January 1965 and the remaining provisions shall come into operation on 1st October 1964.

Dilhorne, C.
Parker of Waddington, C.J.
Denning, M.R.
J. E. S. Simon, P.
Colin H. Pearson, L.J.
Edmund Davies, J.
Geoffrey Cross, J.
Eustace Roskill, J.
Arthur Bagnall.
Hugh Griffiths.

Dated 27th July 1964.

EXPLANATORY NOTE

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

These Rules amend the Matrimonial Causes Rules 1957 so as (1) to require notice of the day of hearing to be given to any party who has entered an appearance, whether in person or by a solicitor (rule 2(*a*)); (2) to provide that, where a day later than commission day is specially fixed for the commencement of divorce business at assizes, matrimonial causes may be entered for trial up to within 14 days before the day so fixed (rule 2(*b*)); (3) to add Burnley, Coventry and Ryde to the list of towns at which matrimonial causes may be tried (rule 4), and (4) to require the files in causes set down for hearing at Winchester and Ryde to be sent to the District Registries at Winchester and Newport (Isle of Wight) respectively, in view of the fact that the Matrimonial Causes (District Registries) Order 1964 (S.I. 1964/1125 (L. 10)) gives these Registries jurisdiction to deal with matrimonial causes (rule 3).