EXPLANATORY NOTE

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

The effect of this Order is to re-open on and after the 2nd July, 1953, the District Probate Sub-Registry at Canterbury which was closed in 1940.

1953 No. 985 (L. 9)

The Rules of the Supreme Court (No. 1) 1953

Made - - - -	22*nd June*, 1953
Laid before Parliament	23*rd June*, 1953
Coming into Operation	1*st July*, 1953

We, the Rule Committee of the Supreme Court, hereby make the following Rules :—

1. In Order LVB, Rule 11 (which relates to the service of documents on the Minister of National Insurance in proceedings under the National Insurance Acts, 1946) shall be amended by substituting for the words " at 10 Belgrave Square, London, S.W.1." the words " at 30 Euston Square, London, N.W.1., or other address for the time being of such solicitor ".

2. In Order LVC, Rule 3 (which makes provision for the statement of a case for the opinion of the High Court by a tribunal selected under the provisions of the War Damage (Valuation Appeals) Act, 1945) is hereby revoked.

3. After Order LVE there shall be inserted the following Order :—

" ORDER LVF

Procedure on cases stated by the Administrator of German Enemy Property

1. Every case stated by the Administrator of German Enemy Property in accordance with the proviso to paragraph (2) of Article 7 of the Distribution of German Enemy Property (No. 2) Order, 1951, shall be heard and determined by a single Judge of the Chancery Division.

2. Service of notice requiring the said Administrator to state a case shall be effected by delivering or sending the notice to the Administrator of German Enemy Property, Administration of Enemy Property Department, (Treasury and Board of Trade), at Lacon House, Theobald's Road, London, W.C.1., or other address for the time being of the said Department.

3. The procedure and practice of the Chancery Division relating to a special case stated for the decision of the High Court with respect to a question of law under section 21 (1) of the Arbitration Act, 1950, shall apply to a case stated by the said Administrator."

4. The following amendments shall be made in Order LIX (which relates to Divisional Courts) :—

(1) The following Rule shall be substituted for Rule 29 :—

" (1) Subject as hereinafter provided, all appeals from a court of quarter sessions or from justices by way of case stated and all cases stated by a court of quarter sessions under section 11 of the Quarter Sessions Act, 1849, shall be heard by a Divisional Court of the Queen's Bench Division.

(2) Appeals against any order or determination by justices in regard to the enforcement of—

(*a*) an order for the payment of money made under the Summary Jurisdiction (Separation and Maintenance) Acts, 1895 to 1949, or

(*b*) an order for the payment of money to a wife for her maintenance, or for her maintenance and that of any child or children of hers, which has been confirmed or registered in England or Wales under the Maintenance Orders (Facilities for Enforcement) Act, 1920, or the Maintenance Orders Act, 1950,

shall be heard by a Divisional Court of the Probate, Divorce and Admiralty Division.

(3) If, before the hearing of any such appeal as is mentioned in the last foregoing paragraph, there has been entered for hearing an appeal against an order or determination by justices in regard to the enforcement of an order made under subsection (2) of section 3 of the Guardianship of Infants Act, 1925, and the parties to such appeal are the same as the parties to the first-mentioned appeal, a Divisional Court of the Probate, Divorce and Admiralty Division shall have jurisdiction to hear both appeals."

(2) In Rule 33, for the words "under section 2 of the Summary Jurisdiction Act, 1857, or under section 33 of the Summary Jurisdiction Act, 1879," there shall be substituted the words "under section 87 of the Magistrates' Courts Act, 1952" and after the words "the Crown Office and Associates' Department" there shall be inserted the words "or in the Principal Probate Registry if the appeal falls to be heard by a Divisional Court of the Probate, Divorce and Admiralty Division".

(3) The following paragraph shall be added at the end of Rule 44:—

"(5) Where, under the provisions of this Order, any proceedings fall to be heard by a Divisional Court of the Probate, Divorce and Admiralty Division, for the references in this Rule to the Crown Office and Associates' Department and the Master of the Crown Office there shall be substituted references to the Principal Probate Registry and the Senior Registrar respectively."

5. In Order LXVI, paragraph (*c*) of Rule 7 (which prescribes the rate at which printed copies of documents furnished by one party to any other party are to be paid for by that other party) shall be amended by substituting "3d." for "2½d.".

6. In Appendix N, Fee 106 (which relates to the maximum amount per folio which may be allowed on taxation for printing pleadings, etc.) shall be amended by substituting "4s. 4d." for "4s. 1½d." in both the Higher and Lower Scale.

7. These Rules may be cited as the Rules of the Supreme Court (No. 1) 1953, and shall come into operation on the first day of July, 1953.

Dated the twenty-second day of June, 1953.

Simonds, C.
Goddard, C.J.
Raymond Evershed, M.R.
Merriman, P.
H. B. Vaisey, J.
J. N. Gray.
R. G. Micklethwait.
L. S. Holmes.
W. Charles Norton.