PROCEDURE

1958 No. 650 (L. 5)

The Rules of the Supreme Court (No. 1), 1958

Made - - - -	17*th April*, 1958
Laid before Parliament	23*rd April*, 1958
Coming into Operation	1*st May*, 1958

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

1. In Rule 17 of Order XXII (which relates to the investment of funds in court) after "London County Five and a Half per Cent. Stock, 1977-1981" there shall be inserted the words "London County Six per Cent. Stock, 1975-1978".

2. In the provisions specified in the following paragraphs (which relate to appeals from a judge in chambers) the words specified therein shall be omitted, that is to say:—

(*a*) in paragraph (1) of Rule 23 of Order LIV, the words "of paragraph (*i*) of subsection (1) of";

(*b*) in paragraph (2) of the said Rule 23, the words "of paragraph (*i*) of subsection (1) and subsection (3)";

(*c*) in Rule 14D of Order LV, the words "of paragraph (*i*) of subsection (1) and subsection (3)".

3.—(1) For paragraph (3) of Rule 18 of Order LVIII (which specifies the time for appealing from a judgment or order of a county court) there shall be substituted the following paragraph:—

"(3) The notice of appeal shall be served within 21 days from the date of the judgment or order of the county court; and Rule 4 of this Order shall not apply."

(2) In paragraph (4) of the said Rule 18, for the words "the said Rule 5" there shall be substituted the words "Rule 5 of this Order".

4. The following amendments shall be made in Appendix P (which prescribes the costs recoverable by the plaintiff in an action to which subsection (4) of section 47 of the County Courts Act, 1934, applies)—

(*a*) in paragraph (1) thereof, for the figures "4. 8. 0." and "4. 18. 0." there shall be substituted the figures "2. 8. 0." and "2. 18. 0." respectively; for the figures "6. 10. 0." and "7. 0. 0." there shall be substituted the figures "4. 10. 0." and "5. 0. 0." respectively, and at the end there shall be added the words "together, in every case, with the fee paid on the issue of the writ";

(*b*) in paragraph (2) thereof, for the figures "5. 18. 0." and "6. 8. 0." there shall be substituted the figures "2. 18. 0." and "3. 8. 0." respectively; for the figures "8. 10. 0." and "9. 0. 0." there shall be substituted the figures "5. 10. 0." and "6. 0. 0." respectively, and at the end there shall be added the words "together, in every case, with the fee paid on the issue of the writ or, where the amount recovered is less than the amount claimed, the fee which would have been payable on the issue of a writ for the amount recovered";

(*c*) in paragraph (3) thereof, for the figures "8. 18. 0." and "9. 18. 0." there shall be substituted the figures "5. 18. 0." and "6. 18. 0." respectively; for the figures "12. 0. 0." and "13. 0. 0." there shall be

substituted the figures "9. 0. 0." and "10. 0. 0." respectively, and at the end there shall be added the words "together, in every case, with the fee paid on the issue of the writ or, where the amount recovered is less than the amount claimed, the fee which would have been payable on the issue of a writ for the amount recovered".

5. These Rules may be cited as the Rules of the Supreme Court (No. 1), 1958, and shall come into operation on the first day of May, 1958, so however that nothing in paragraph (*a*) of Rule 4 shall entitle the plaintiff, in the case of proceedings commenced before that date, to costs in excess of the amount indorsed on the writ.

Dated the seventeenth day of April, 1958.

Kilmuir, C.
Goddard, C.J.
Evershed, M.R.
B. Ormerod, L.J.
H. B. Vaisey, J.
Colin H. Pearson, J.
G. Raymond Hinchcliffe, J.
J. R. Cumming-Bruce.
L. S. Holmes.
W. Charles Norton.

EXPLANATORY NOTE

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

Rule 1 adds London County 6 per cent. stock, 1975-1978, to the list of securities in which money in court may be invested; Rule 2 clarifies certain provisions in the Rules of the Supreme Court relating to appeals from a Judge in chambers; Rule 3 deals with the time for setting down an appeal from a county court to the Court of Appeal; and Rule 4 makes certain changes in the fixed costs recoverable under section 47 (4) of the County Courts Act, 1934, consequential on the Supreme Court Fees (Amendment) Order, 1958.

1958 No. 1246 (L. 7)

The Rules of the Supreme Court (No. 2), 1958

Made - - - -	28*th July*, 1958
Laid before Parliament	1*st August*, 1958
Coming into Operation	5*th August*, 1958

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

PART I

TRIAL AND SETTING DOWN FOR TRIAL

1. For Rule 2 of Order XXV (which relates to proceedings in lieu of demurrer) there shall be substituted the following Rule:—

"2. Any party shall be entitled to raise by his pleading any point of law and unless the court or a judge otherwise orders, any point so raised shall be disposed of by the judge who tries the cause at or after the trial."