1954 No. 1027 (L. 9)

The Rules of the Supreme Court (No. 2) 1954

Made - - - -	*27th July*, 1954
Laid before Parliament	*3rd August*, 1954
Coming into Operation	*1st September*, 1954

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

1. In Order VII, Rule 3 (which relates to the removal of a solicitor from the record at the instance of another party) shall be amended by inserting after the words "or has been struck off the roll of solicitors", the words "or has been suspended from practising or has for any other reason ceased to practice".

2. The following amendments shall be made in Order LIV (which relates to applications and proceedings at chambers):—

(1) In Rule 4B, the words "or in probate matters in the Probate Registry", the words "Probate Registry" and the words "probate and" shall be deleted.

(2) In Rule 4C, the words "or in probate matters at the Probate Registry" shall be deleted.

(3) In Rule 4D, the words "or of the Probate Registry in the case of probate matters" shall be deleted.

(4) In Rule 4F, paragraph (10) shall be deleted.

3. In Order LVE (which relates to proceedings under the Pensions Appeal Tribunals Act, 1943), the following rule shall be substituted for Rule 4:—

"4. Service of any document required or authorised to be served on the Minister of Pensions and National Insurance in proceedings under this Order shall be effected by delivering or sending the document to the Solicitor to the Ministry of Pensions and National Insurance at 30, Euston Square, London, N.W.1, or other address for the time being of the said solicitor."

4. In Order LIX, Rule 26A (which relates to applications for attachment for contempt committed in connection with proceedings before a court-martial) shall be amended by substituting for paragraph (6) the following paragraph:—

"(6) This Rule shall apply with the necessary modifications to proceedings before a service court of a country to which the Visiting Forces Act, 1952, applies as it applies to proceedings before a court-martial."

5. After Order LIXA there shall be inserted the following Order:—

"ORDER LIXB

Procedure on references by Agricultural Land Tribunals

1.—(1) Every question of law referred by an agricultural land tribunal to the High Court under section 6 (1) of the Agriculture (Miscellaneous Provisions) Act, 1954, shall be so referred by means of a case stated by the tribunal and shall be decided by a Divisional Court of the Queen's Bench Division.

(2) The party at whose request the question has been referred shall—

(*a*) within ten days after receiving the case lodge it in the Crown Office and Associates Department; and

(*b*) within fourteen days after receiving the case serve on every other party to the proceedings before the tribunal and, where the Minister of Agriculture and Fisheries is not a party to the said proceedings, on that Minister, notice that the case has been entered for hearing together with a copy of the case.

2. An application to the High Court for an order under section 6 (2) of the said Act directing an agricultural land tribunal to refer a question of law to the High Court shall be made by motion to a Divisional Court of the Queen's Bench Division and the notice of motion shall be filed in the Crown Office and Associates Department and shall, within twenty-one days of the receipt by the applicant of notice of the tribunal's refusal to refer the question, be served on every other party to the proceedings before the tribunal, on the secretary of the tribunal and, where the Minister of Agriculture and Fisheries is not a party to the said proceedings, on that Minister.

3. Service of any document required or authorised to be served on the Minister of Agriculture and Fisheries in any proceedings to which this Order relates shall be effected by delivering or sending the document to the Solicitor to the Ministry of Agriculture and Fisheries at 55, Whitehall, London, S.W.1, or other address for the time being of the said solicitor."

6. These Rules may be cited as the Rules of the Supreme Court (No. 2) 1954, and shall come into operation on the first day of September, 1954.

Dated the twenty-seventh day of July, 1954.

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