**4.** These Rules may be cited as the Rules of the Supreme Court (No. 1) 1956, and shall come into operation on the first day of May, 1956.

Dated the 12th day of April, 1956.

*Kilmuir*, C.
*Goddard*, C.J.
*Evershed*, M.R.
*Merriman*, P.
*A. T. Denning*, L.J.
*H. B. Vaisey*, J.
*Frederic Sellers*, J.
*L. S. Holmes.*
*E. Milner Holland.*
*W. Charles Norton.*

---

EXPLANATORY NOTE

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

Rule 1 abolishes the appearance fee payable by a defendant who enters an appearance by post, consequentially upon the general abolition of the appearance fee by the Supreme Court Fees (Amendment) Order, 1956. Rule 2 prescribes the time within which appeals to the High Court from Panel (Complaints) Tribunals under the Legal Aid and Advice Act, 1949, are to be brought. Rule 3 revokes a number of Rules or parts of Rules which are now obsolete.

---

## 1956 No. 1191 (L. 12)

## The Rules of the Supreme Court (No. 2) 1956

| | |
|---|---|
| *Made* - - - - | 30*th July*, 1956 |
| *Laid before Parliament* | 3*rd August*, 1956 |
| *Coming into Operation* | 1*st September*, 1956 |

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

**1.** In paragraph (1) of Rule 7 of Order XXX (which relates to the service of a notice by a party to whom a summons for directions is addressed) for the words "within fourteen days of the service on him of the summons", there shall be substituted the words "not less than seven days before the hearing of the summons".

**2.** At the end of Order XXXI (which relates to discovery and inspection) there shall be added the following Rule:—

"31. Any order under any of the Rules of this Order (including an order made on appeal) may, on sufficient cause being shown, be revoked or varied by a subsequent order or direction of the court or a judge made or given at or before trial."

**3.** In Order XLV (which relates to the attachment of debts) after Rule 9 there shall be inserted the following Rule:—

"10. Among the conditions mentioned in subsection (1) of section 38 of the Administration of Justice Act, 1956 (which enables any sum standing to the credit of a person in a deposit account in a bank to be attached notwithstanding that certain conditions applicable to the

account have not been satisfied) there shall be included any condition that a receipt for money deposited in the account must be produced before any money is withdrawn."

**4.** The following amendments shall be made in Order LIVC (which relates to proceedings under the Life Assurance Companies (Payment into Court) Act, 1896):—

(*a*) in paragraph (*f*) of Rule 1 the word "petition" shall be omitted;

(*b*) in Rule 5 the words "by petition or, where the amount does not exceed £1,000" shall be omitted;

(*c*) in Rules 6 and 7 the words "petition or" shall be omitted wherever they occur;

(*d*) Rule 8 shall be omitted.

**5.** The following amendments shall be made in Order LXIII:—

(1) In Rule 6 (which prescribes the days on which the offices of the Supreme Court are to be closed) before the word "Sundays" there shall be inserted the words "Saturdays (save as otherwise provided by Rule 9 of this Order)" and the words "Easter Eve" shall be omitted.

(2) Rule 8 shall be omitted.

(3) For Rule 9 there shall be substituted the following Rule:—

"9. Subject in any division of the High Court to any order of the President thereof, the office hours in the offices of the Supreme Court mentioned in column 1 of the following table shall be those shown in columns 2, 3 and 4 thereof:—

| Office | Hours of Opening | | |
|---|---|---|---|
| | On week-days during sittings | On week-days during vacations | On Saturdays (except Easter Eve) |
| (1) | (2) | (3) | (4) |
| Central Office: | | | |
| Summons and Order Department. | 10.30 a.m.–4.30 p.m. | 10.30 a.m.–2.30 p.m. | 10.30 a.m.–1 p.m. |
| Crown Office and Associates Department. | 10.30 a.m.–4.30 p.m. | 11 a.m.–2 p.m. | 10.30 a.m.–1 p.m. |
| Supreme Court Taxing Office | 10 a.m.–4 p.m. | From 1st August to 16th September, 10 a.m.–2 p.m., and at other times, 10 a.m.–4 p.m. | Closed |
| Other Departments of the Central Office. | 10 a.m.–4 p.m. | 10 a.m.–2 p.m. | 10 a.m.–1 p.m. |
| Chambers of the Judges of the Chancery Division. | 10 a.m.–4 p.m. | 10 a.m.–2 p.m. | 10 a.m.–1 p.m. |
| Chancery Registrars Office ... | 10 a.m.–4 p.m. | 10 a.m.–2 p.m. | 10 a.m.–1 p.m. |
| Principal Probate Registry ... | 10 a.m.–4 p.m. | 10 a.m.–4 p.m. | Closed |
| Other Offices of the Supreme Court. | 10 a.m.–4 p.m. | 10 a.m.–2 p.m. | Closed" |

**6.** For Appendix P there shall be substituted the following Appendix:—

"APPENDIX P

SCALE OF COSTS APPLICABLE TO CASES WITHIN SUBSECTION (4) OF SECTION 47 OF THE COUNTY COURTS ACT, 1934

| | Town Cases | Country or Agency Cases |
|---|---|---|
| (1) Cases within paragraph (*a*) of sub-s. (4) where claim paid within time limited by indorsement on writ and in which no judgment is signed:— | £ s. d. | £ s. d. |
| (*a*) £40 and over, but less than £75 ... ... ... | 4 8 – | 4 18 – |
| and, in addition, for each extra defendant ... ... | – 8 – | – 8 – |
| (*b*) £75 and over but less than £300 ... ... ... | 6 10 – | 7 – – |
| and, in addition, for each extra defendant ... ... | – 10 – | – 10 – |
| (2) Cases within paragraph (*b*) of sub-s. (4) where judgment signed in default of appearance or defence:— | | |
| (*a*) £40 and over but less than £75 ... ... ... | 5 18 – | 6 8 – |
| and, in addition, for each extra defendant ... ... | – 8 – | – 8 – |
| (*b*) £75 and over but less than £300 ... ... ... | 8 10 – | 9 – – |
| and, in addition, for each extra service:— | | |
| (i) effected in the same district as any previous service ... ... ... ... ... ... | – 10 – | – 10 – |
| (ii) effected in a different district ... ... ... | 1 – – | 1 – – |
| (3) Cases within paragraph (*c*) of sub-s. (4) where judgment signed under Order XIV:— | | |
| (*a*) £40 and over but less than £75 ... ... ... | 8 18 – | 9 18 – |
| and, in addition, for each extra defendant ... ... | – 8 – | – 8 – |
| and for adjournment of summons ... ... ... | – 10 – | – 10 – |
| (*b*) £75 and over but less than £300 ... ... ... | 12 – – | 13 – – |
| and, in addition, for each extra defendant:— | | |
| (i) served in the same district or appearing by the same solicitor as any other defendant ... ... | – 10 – | – 10 – |
| (ii) served in a different district or appearing by a different solicitor ... ... ... ... | 1 – – | 1 – – |
| and for adjournment of summons ... ... ... | 1 – – | 1 – – |

ADDITIONAL ALLOWANCES APPLICABLE TO ALL THE ABOVE CASES UNLESS TAXATION IS ORDERED

| | £ s. d. |
|---|---|
| Where substituted service ordered and effected:— | |
| (*a*) £40 and over but less than £75 ... ... ... ... ... | 1 – – |
| (*b*) £75 and over but less than £300 ... ... ... ... ... | 2 – – |
| Where service out of jurisdiction ordered and effected:— | |
| (*a*) for service in Scotland, Northern Ireland, Isle of Man or Channel Islands ... ... ... ... ... ... ... ... | 5 – – |
| (*b*) for service in any other place out of the jurisdiction ... ... | 8 – – |

*General Notes*

1. All the above items include the addition of the percentage increases allowed by Order 65, Rules 10 and 10A.

2. A "town case" means a case in which the defendant resides within five miles from the General Post Office or, where the case is proceeding in a District Registry within five miles from the Office of the District Registry.

3. A defendant shall be deemed to be served in a different district when he was served in a different county court district and at a place not less than five miles from the place of a previous service."

7. These Rules may be cited as the Rules of the Supreme Court (No. 2) 1956, and shall come into operation on the first day of September, 1956.

Dated the 30th day of July, 1956.

*Kilmuir*, C.
*Evershed*, M.R.
*Merriman*, P.
*A. T. Denning*, L.J.
*G. Justin Lynskey*, J.
*Frederic Sellers*, J.
*E. Milner Holland*
*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.)*

These Rules make a number of miscellaneous amendments in the Rules of the Supreme Court. Rule 5 alters the hours during which certain of the offices of the court are required to be open. Rule 6 (which is consequential on the County Courts Act, 1955) prescribes a new scale of costs applicable to proceedings brought in the High Court for the recovery of debts between £40 and £300.

---

## 1956 No. 2001 (L. 22)

## The Rules of the Supreme Court (No. 3) 1956

| | |
|---|---|
| *Made* - - - - | 17*th December*, 1956 |
| *Laid before Parliament* | 20*th December*, 1956 |
| *Coming into Operation* | 1*st January*, 1957 |

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

PART I

ADMIRALTY PROCEEDINGS

1.—(1) In Rule 16 of Order V (which relates to the issue of warrants of arrest in actions *in rem*) after paragraph (*a*) there shall be inserted the following paragraph:—

"(*b*) in an action *in rem* brought against a ship by virtue of subsection (4) of section 3 of the Administration of Justice Act, 1956, the affidavit shall state—

(i) whether or not the ship proceeded against is the ship in connection with which the claim arose,