The Rules of the Supreme Court (No. 3) 1949

1949 No. 2399 (L. 33)

Made - - - -	21*st December*, 1949
Laid before Parliament	22*nd December*, 1949
Coming into Operation	11*th January*, 1950

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

1.—(1) In Order XXXVI, Rule 22B (which relates to entry for trial at Assizes) shall be amended by substituting for the words "seven days" the words "fourteen days".

(2) This Rule shall not apply to any action, cause, matter or issue of which notice of trial has been given for the Winter Assizes, 1950.

2. In Order XXXVI, the following Rule shall be substituted for Rule 47C (which relates to the transfer of business from one official referee to another) that is to say:—

"47C. Any official referee shall have power to order the transfer of any business from himself to any other official referee provided that the official referee to whom it is to be transferred consents to the transfer, and provided that no order shall be made under this Rule where the reference was by consent to a named official referee unless all the parties to the business consent to the transfer."

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

"ORDER LIV P

Applications made pursuance to Section 9 of the Law Reform (Miscellaneous Provisions) Act 1949.

1. An application to make an infant a ward of court shall be made to the Chancery Division either by originating summons, or by an ordinary summons in any action in the Chancery Division to which the infant is a party. The summons shall, in addition to any other relief sought, ask specifically that the infant be made a ward of court.

2. The summons shall forthwith after issue be produced by the applicant at the office of the Chief Master, Room No. 174, Royal Courts of Justice, Strand, W.C.2, for recording in the Register of Wards and shall be marked by the officer recording the summons that it has been so produced and recorded.

3. Unless within 21 days after its issue an appointment is obtained for the hearing of the summons the infant shall cease to be a ward of court at the expiration of the said period of 21 days. Upon an appointment being obtained as aforesaid the infant shall continue to be a ward of court until the determination of the application.

4. If no appointment is obtained within the said period of 21 days the applicant shall leave at the Chief Master's office a notice in writing to that effect for recording in the Register of Wards."

4. These Rules may be cited as the Rules of the Supreme Court (No. 3) 1949 and shall come into operation on the eleventh day of January, 1950.

Dated the 21st day of December, 1949.

Jowitt, C.
Goddard, C.J.
F. James Tucker, L.J.
F. L. C. Hodson, J.
H. B. Vaisey, J.
Gerald R. Upjohn.
James MacMillan.
L. S. Holmes.
W. Charles Norton.

The Rules of the Supreme Court (Criminal Proceedings), 1949

1949 No. 721 (L. 6)

Made - - - -	11*th April*, 1949
Laid before Parliament	12*th April*, 1949
Coming into Operation	18*th April*, 1949

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

1. For Rules 13 and 13A of the Rules of the Supreme Court (Criminal Proceedings), 1938(a), there shall be substituted the following Rule:—

Application for bail, admission to bail, and re-committal.

" 13.—(1) Subject to the provisions of this Rule, every application to the High Court for bail in any criminal proceeding where the defendant is in custody shall be made by summons before a judge in chambers to show cause why the defendant should not be admitted to bail.

(2) The summons shall, at least twenty-four hours before the day named therein for the hearing of the application, be served on the prosecutor and on the Director of Public Prosecutions, if the prosecution is being carried on by him.

(3) Subject to the provisions of paragraph (5) of this Rule, every application shall be supported by affidavit and shall be accompanied by an affidavit of the service of the summons, a certified copy of the commitment and, in the case of a person committed for trial, a copy verified by affidavit of any depositions taken in the proceedings:

Provided that the judge may, if he thinks fit, dispense with the requirement to furnish a copy of the commitment and depositions.

(4) Where a defendant in custody who desires to apply for bail is unable through lack of means to instruct a solicitor, he may give notice in writing to the judge in chambers stating his desire to apply for bail and requesting that the Official Solicitor shall act for him in the application, and the judge may, if he thinks fit, assign the Official Solicitor to act for the applicant accordingly.

(a) S.R. & O. 1938 (No. 1576) II, p. 3154 ; and *see* S.R. & O. 1940 (No. 924) I, p. 990 and S.I. 1948 (No. 2781) I, p. 4032.