The Rules of the Supreme Court (No. 3), 1948

1948 No. 1708 (L. 19)

Made - - - -	*22nd July*, 1948
Laid before Parliament	*27th July*, 1948
Coming into Operation	*27th September*, 1948

[These Rules are omitted from this volume as being now spent.]

The Rules of the Supreme Court (No. 4), 1948

1948 No. 2781 (L. 34)

Made - - - -	*20th December*, 1948
Laid before Parliament	*22nd December*, 1948
Coming into Operation	*10th January*, 1949

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

1. In paragraph (6) of Rule 2 of Order VII (which relates to change of solicitors) after the word "appearance)" there shall be inserted the words "and on the former solicitor."

2.—(1) The following amendments shall be made in Order XXXVI (which relates to trial):—

(i) After Rule 1B, there shall be inserted the following Rule:—

"1C. Where a cause or matter is directed under Rule 1 of this Order to be tried at Liverpool or Manchester the order shall direct the cause or matter to be set down for trial within such period as may be specified in the order in one of the lists mentioned in Rule 29A of this Order."

(ii) In Rule 11A, after the words "under Rule 1A" there shall be inserted the words "Rule 1B or Rule 1C."

(iii) In paragraph (3) of Rule 29, for the words "the next succeeding Rule", there shall be substituted the words "Rule 30 of this Order".

(iv) After Rule 29 there shall be inserted the following Rule:—

"29A. (1) Lists shall be kept by the district registrars both at Liverpool and Manchester of causes and matters to be tried at those places respectively. Such lists shall be called the "Jury List" and the "Non-Jury List" and causes and matters shall be entered in the appropriate list as directed by orders made under Rule 1C of this Order.

(2) Where any cause or matter is set down for trial, in pursuance of an order made under Rule 1C of this Order, in one of the said lists, the party by whom it is set down shall deliver a copy of the order (in addition to the documents which he is required to deliver under the

next succeeding Rule) to the district registrar, who shall fix a date before which the cause or matter shall not be tried unless the judge going the circuit otherwise orders.

(3) It shall be the duty of all parties to any cause or matter entered in one of the said lists to furnish without delay to the district registrar all available information relating to any settlement, or likelihood of settlement, of the cause or matter, or affecting the estimated length of the trial.

(4) The district registrar shall, not less than seven clear days before the commission day, publish a list of the causes and matters likely to be tried during the first week of the ensuing Assizes. Any party to any such cause or matter may thereupon, after giving notice to all other parties and before the commission day, apply to the district registrar for postponement of the trial and the district registrar may postpone the trial or otherwise as seems just. Save as aforesaid, any application for alteration of the date of trial of any cause or matter set down for trial at those assizes shall be made to the judge going the circuit after his arrival at Liverpool or Manchester as the case may be."

(2) This Rule shall not apply to any cause or matter for trial at Liverpool or Manchester for which notice of trial has been given for the Winter Assizes, 1949.

3. Paragraph (52) of Rule 27 of Order LXV (which relates to costs) shall be amended by deleting the words " or by the signature of the Secretary of the General Council of the Bar or of a barrister duly authorised in writing by the barrister entitled to the fee."

4. Paragraph (1) of Rule 13A of the Rules of the Supreme Court (Criminal Proceedings), 1938(a) shall be amended by deleting the words " and no defence certificate under the Poor Prisoners' Defence Act 1930 has been granted to him ".

5. These Rules may be cited as the Rules of the Supreme Court (No. 4), 1948 and shall come into operation on the tenth day of January 1949.

Dated the 20th day of December, 1948.

Jowitt, C.
Goddard, C.J.
Greene, M.R.
Merriman, P.
F. James Tucker, L.J.
F. L. C. Hodson, J.
H. B. Vaisey, J.
G. Justin Lynskey, J.
Cyril Radcliffe.
Douglas T. Garrett.
L. S. Holmes.

(a) S.R. & O. 1938 (No. 1576) II, p. 3154.