

1971 No. 1132 (L. 28)

SUPREME COURT OF JUDICATURE, ENGLAND

PROCEDURE

The Rules of the Supreme Court (Amendment No. 3) 1971

Made - - - - - 12th July 1971

Laid before Parliament 20th July 1971

Coming into Operation 2nd August 1971

We, the Rule Committee of the Supreme Court, being the authority having for the time being power under section 99(4) of the Supreme Court of Judicature (Consolidation) Act 1925(a) to make, amend or revoke rules regulating the practice and procedure of the Supreme Court of Judicature, hereby exercise those powers and all other powers enabling us in that behalf as follows:—

1.—(1) These Rules may be cited as the Rules of the Supreme Court (Amendment No. 3) 1971 and shall come into operation on 2nd August 1971.

(2) In these Rules an Order referred to by number means the Order so numbered in the Rules of the Supreme Court 1965(b), as amended (c).

(3) The Interpretation Act 1889(d) shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

2. Order 80, rule 14, shall be revoked.

3.—(1) Order 110 shall be amended as follows:—

(a) In rule 1(1) after the words “section 1” there shall be inserted the words “or subsection (2) or (3) of section 3”.

(b) In rule 1(3) after the words “section 2” there shall be inserted the words “or, as the case may be, section 3A”.

(c) In rule 2(1) after the words “section 1” there shall be inserted the words “or subsection (2) or (3) of the said section 3”.

(d) In rule 2(3)—

(i) after the words “section 2(1)” there shall be inserted the words “or section 3A(1)”, and

(a) 1925 c. 49.

(b) S.I. 1965/1776 (1965 III, p. 4995).

(c) There are no relevant amending instruments.

(d) 1889 c. 63.

(ii) after the words "section 1" there shall be inserted the words "or subsection (2) of section 3".

(e) In rule 3 after the words "section 1" there shall be inserted the words "or subsection (2) or (3) of the said section 3".

(2) In its application to an action pending at the commencement of the Law Reform (Miscellaneous Provisions) Act 1971(a), paragraph (1)(d)(ii) of this rule shall have effect as if the words to be inserted in Order 110, rule 2(3), after "section 1" were "or subsection (2) or (3) of section 3".

Dated 12th July 1971.

Hailsham of St. Marylebone, C.
Widgery, C.J.
Denning, M.R.
George Baker, P.
Cyril Salmon, L.J.
John Pennycuik, V-C.
John R. Willis, J.
Nigel Bridge, J.
James Fox-Andrews.
Oliver Lodge.
W. O. Carter.
H. Montgomery-Campbell.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules amend the Rules of the Supreme Court so as to take account of the relevant provisions of the Law Reform (Miscellaneous Provisions) Act 1971.

(a) 1971 c. 43.