

**1972 No. 334 (L.4)**

**COUNTY COURTS**

**The County Court Funds (Amendment) Rules 1972**

*Made*            -       -       -            *29th February 1972*

*Laid before Parliament*                    *13th March 1972*

*Coming into Operation*                    *4th April 1972*

The Lord Chancellor, in exercise of the powers conferred on him by section 168 of the County Courts Act 1959(a), as amended by section 9 of the Administration of Justice Act 1965(b), and with the concurrence of the Treasury, hereby makes the following Rules:—

1.—(1) These Rules may be cited as the County Court Funds (Amendment) Rules 1972 and shall come into operation on 4th April 1972.

(2) In these Rules a rule referred to by number means the rule so numbered in the County Court Funds Rules 1965(c), as amended (d).

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

2. In Part IV of the Arrangement of Rules in the County Court Funds Rules 1965, as amended,—

(a) the words “or through the National Giro” shall be omitted; and

(b) for the word “cheque” there shall be substituted the words “payable order”.

3. In rule 2(1)—

(a) after the definition of “Capital Fund”, the following definition shall be inserted:—

“cash account” means the Accountant-General’s County Courts Cash Account at the office of Her Majesty’s Paymaster-General; and

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(a) 1959 c. 22.

(b) 1965 c. 2.

(c) S.I. 1965/1500 (1965 II, p. 4343).

(d) The relevant amending instruments are S.J. 1969/1547, 1971/260 (1969 III, p. 5005; 1971 I, p. 900).

(e) 1889 c. 63.

- (b) the definitions of “the bank”, “central control account” and “court’s Giro account” shall be omitted.
4. In rule 3, the words from “either” to “or (b)” shall be omitted.
5. In rule 4, for the words from “bank” to “may determine)” there shall be substituted the words “cash account”.
6. In rule 6, for the words “through the National Giro or by cheque payable” there shall be substituted the words “by crossed payable order”; and the words “and crossed to the payee’s official account” shall be omitted.
7. In rule 8(3)(b), for the words “cheque or through the National Giro” there shall be substituted the words “payable order”.
8. In rule 10—
- (a) in paragraph (1), the words “or through the National Giro” shall be omitted;
- (b) in paragraph (2)(b), for the words “cheque or through the National Giro” there shall be substituted the words “payable order”; and
- (c) for paragraph (3), there shall be substituted the following paragraph:—
- “(3) Upon receipt of the request and accompanying documents the registrar shall, subject to the proviso in the last preceding rule, forward the money, less the cost of remittance, if any, by crossed payable order for sums of £2·00 or more and, for smaller sums, by money order, crossed postal order or crossed payable order as he may think fit.”
9. In rule 11, for the word “cheque” there shall be substituted the words “payable order”; and the words “or pay that sum through the National Giro” shall be omitted.
10. In rule 12, paragraph (1)(aa) shall be omitted.
11. In rules 13(2), 15(a)(ii), 16(1) and 23(2)(a)(ii), for the words “Head of the County Courts Branch” there shall be substituted the words “Permanent Secretary to the Lord Chancellor”.
12. In rule 14—
- (a) in paragraph (1), for the words from “bank” to “may determine)” there shall be substituted the words “cash account”;
- (b) paragraph (3) shall be omitted; and
- (c) in paragraph (4), for the words “the bank” there shall be substituted the words “a bank”.

13. In rule 15(a)(i), the words "in pursuance of rule 14" shall be omitted.
14. In rule 26—
- (a) paragraph (2) shall be omitted; and
  - (b) in paragraph (4), for the words "cheque, or through the National Giro" there shall be substituted the words "payable order".
15. For rule 28 there shall be substituted the following rule:—
- "28. Out of the moneys paid into the cash account the Accountant-General shall pay all moneys relating to funds into an account to be entitled the "Lord Chancellor's Department Deposit Account" at the office of Her Majesty's Paymaster-General and shall draw payable Orders on this account for sums required for the purchase of units."
16. In rules 29, 30, 31(2)(a) and 32(1), for the words "County Courts" there shall be substituted the words "Lord Chancellor's Department".

Dated 28th February 1972.

*Hailsham of St. Marylebone, C.*

We concur,

Dated 29th February 1972.

*Walter Clegg,*  
*Tim Fortescue,*  
Two of the Lords Commissioners of  
Her Majesty's Treasury.

## EXPLANATORY NOTE

*(This Note is not part of the Rules.)*

These Rules amend the County Court Funds Rules 1965 by providing for banking facilities for Registrars of County Courts through the Accountant-General's County Courts Cash Account with Her Majesty's Paymaster-General with effect from 4th April 1972. These arrangements will replace the facilities at present provided by joint stock banks and the National Giro. Moneys relating to funds in court will, under Rule 28 as amended, be paid from the cash account into the Lord Chancellor's Department Deposit Account, on which payable orders will be drawn for the purchase of units.

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