

1979 No. 1725

**SUPREME COURT OF JUDICATURE,
ENGLAND AND WALES
PROCEDURE****The Rules of the Supreme Court (Amendment No. 5) 1979**

<i>Made</i>	- - - -	<i>19th December 1979</i>
<i>Laid before Parliament</i>		<i>27th December 1979</i>
<i>Coming into Operation</i>		<i>2nd January 1980</i>

We, the Rule Committee for 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:—

Citation and commencement

1.—(1) These Rules may be cited as the Rules of the Supreme Court (Amendment No. 5) 1979 and shall come into operation on 2nd January 1980.

(2) In these Rules an Order referred to by number means the Order so numbered in the Rules of the Supreme Court 1965(b) and, unless the context otherwise requires, a form referred to by number means the form so numbered in Appendix A to the Rules.

Removal of exchange controls

2. The amendments made to Order 6, rule 2, Order 22, rule 9, Order 45, rule 2, Order 46, rule 7, Order 49, rule 7, and Forms 1, 2, 3, 5, 25 and 74 by rule 2 of the Rules of the Supreme Court (Amendment No. 4) 1979(c) are hereby revoked.

3.—(1) Order 6, rule 2, shall be amended by omitting from paragraph (1) the words “(i) except in either of the cases mentioned in paragraph (2),” and the whole of sub-paragraph (ii), and by omitting the whole of paragraph (2).

(2) Order 22, rule 9, shall be revoked except that paragraphs (1) and (2) shall remain in force in relation to any money already in court.

(a) 1925 c. 49.

(b) S.I. 1965/1776; the only relevant amending instrument is S.I. 1979/1542.

(c) S.I. 1979/1542.

(3) Order 29, rule 6, shall be amended by omitting the words “but subject to the provisions of the Exchange Control Act”(a).

(4) Order 45, rule 2, Order 46, rule 7, and Order 49, rule 7, shall be revoked.

(5) Order 46, rule 6(4) (a) shall be amended by omitting the words “(iii) where rule 7(2) applies, the Treasury’s written permission therein referred to”.

(6) Forms 1, 2, 3 and 5 shall be amended by omitting from the indorsement of claim on the writ the words “but if it appears from the indorsement on the writ that the plaintiff is resident outside the scheduled territories” to the end.

(7) Forms 25 and 55 shall be revoked.

(8) Form 74 shall be amended by omitting the words in square brackets starting “or into court”.

Hailsham of St. Marylebone, C.
Widgery, C. J.
Denning, M. R.
J. L. Arnold, P.
R. E. Megarry, V-C.

Dated 19th December 1979.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules amend the Rules of the Supreme Court by removing all provisions concerned with the enforcement of exchange controls (rules 2 and 3).

SI 1979/1725
ISBN 0-11-094725-8



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