

1990 No. 2297

JUDICIAL COMMITTEE PROCEDURE

**The Judicial Committee (General Appellate Jurisdiction)
Rules (Amendment) Order 1990**

Made - - - - - *20th November 1990.*

Coming into force *1st January 1991*

At the Court at Buckingham Palace, the 20th day of November 1990

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 24 of the Judicial Committee Act 1833 (a) and section 1 of the Judicial Committee Act 1844 (b) or otherwise in Her vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered as follows:

Citation and Commencement

1. This Order may be cited as the Judicial Committee (General Appellate Jurisdiction) Rules (Amendment) Order 1990 and shall come into force on 1st January 1991.

Amendment of the Judicial Committee (General Appellate Jurisdiction) Rules (c)

2.—(1) There shall be substituted for rule 75 of the Judicial Committee (General Appellate Jurisdiction) Rules the following rule—

“75.—(1) All bills of costs under the orders of the Judicial Committee shall be taxed by the Registrar, or such other person as the Judicial Committee may appoint.

(2) The amount of costs which a party shall be entitled to recover shall be the amount allowed after taxation on the standard basis unless it appears to the Judicial Committee to be appropriate to order costs to be taxed on the indemnity basis or on the poor person scale.

(3) On a taxation of costs on the standard basis there shall be allowed a reasonable amount in respect of all costs reasonably incurred and any doubts which the taxing officer may have as to whether the costs were reasonably incurred or were reasonable in amount shall be resolved in favour of the paying party.

(4) On a taxation on the indemnity basis all costs shall be allowed except insofar as they are of an unreasonable amount or have been unreasonably incurred and any doubts which the taxing officer may have as to whether the costs were reasonably incurred or were reasonable in amount shall be resolved in favour of the receiving party.

(a) 1833 c.41.
(b) 1844 c.69.
(c) S.I. 1982/1676, Sch. II.

(5) Council Office fees shall be regulated by the table set out in Schedule B to these Rules.”

(2) In Schedule B to the said Rules Part I shall be revoked, and in Part II the words “Part II” shall be deleted.

G.I. de Deney
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Judicial Committee (General Appellate Jurisdiction) Rules by substituting the “standard” and “indemnity” bases of taxation for the scale of costs previously prescribed.

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