

1999 No. 1352 (L. 14)

SUPREME COURT OF ENGLAND AND WALES

The Election Petition (Amendment) Rules 1999

<i>Made - - - -</i>	<i>12th May 1999</i>
<i>Laid before Parliament</i>	<i>13th May 1999</i>
<i>Coming into force</i>	<i>7th June 1999</i>

We, the Civil Procedure Rule Committee, being the authority having for the time being the power to make rules of court for the Supreme Court, in exercise of the power conferred on us by sections 136, 182 and 185 of the Representation of the People Act 1983(a) make the following rules:—

1.—(1) These Rules may be cited as the Election Petition (Amendment) Rules 1999 and shall come into force on 7th June 1999.

(2) In these Rules, unless the context otherwise requires, a rule referred to by number alone means the rule so numbered in the Election Petition Rules 1960(b).

2. In rule 2(4):—

- (a) omit “, including the rules relating to the discovery and inspection of documents and the delivery of interrogatories.”; and
- (b) for “action”, substitute “claim”.

3. In rule 5(1) for “ex parte by summons”, substitute “without notice being served on any Respondent within the meaning of Rule 6”.

4. In rule 6(2):—

- (a) for “writ of summons”, substitute “claim form”; and
- (b) for “an affidavit of service”, substitute “a certificate of service”.

5. In rule 7:

- (a) in paragraph (1), for “a summons”, substitute “an application notice”; and
- (b) in paragraph (2):—
 - (i) for “summons”, substitute “application”; and
 - (ii) omit “in chambers”.

6. In rule 9(1), for “summons”, substitute “application notice”.

(a) 1983 c. 2. Section 136 was amended by the Representation of the People Act 1985 (c. 50), section 24 and schedule 4, paragraph 48.
(b) S.I. 1960/543 amended by S.I. 1985/1278.

7. In rule 11, for “motion”, substitute “application notice”.
8. In rule 12:–
 - (a) in paragraph (1), for “motion”, substitute “application notice”;
 - (b) in paragraph (2):–
 - (i) in sub-paragraph (a), for “notice of motion”, substitute “the application notice”;
 - (ii) in sub-paragraph (b), for “motion”, substitute “application”;
 - (c) in paragraph (3), for “notice of motion”, substitute “application notice”; and
 - (d) in paragraph (4), before “notice”, insert “application”.
9. In rule 13:–
 - (a) in paragraph (1), for “motion”, substitute “application notice”; and
 - (b) in paragraph (2), for “notice of motion”, substitute “the application notice”.
10. In rule 14(2), for “motion”, substitute “application notice”.
11. In rule 16(3), for “motion”, substitute “application notice”.
12. In rule 19(1):–
 - (a) for “the provisions of Order 3 of the Rules of the Supreme Court”, substitute “rules 2.8 to 2.11 of the Civil Procedure Rules 1998(a)”; and
 - (b) for “Rules of the Supreme Court”, substitute “Civil Procedure Rules”.

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I allow these Rules which shall come into force on 7th June 1999

12th May 1999

Irvine of Lairg, C.

(a) S.I. 1998/3132 amended by S.I. 1999/1008.

EXPLANATORY NOTE

(This note is not part of the Order)

These Rules make amendments to the Election Petition Rules 1960 consequent upon the implementation of the Civil Procedure Rules 1998.

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The Election Petition (Amendment) Rules 1999

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