
STATUTORY INSTRUMENTS

1982 No. 1786

The Rules of the Supreme Court (Amendment No. 3) 1982

Summons for Directions

16. Order 25 shall be amended as follows:—

(1) In rule 1(2) there shall be omitted, after item (h), the comma and the word “and”; there shall be substituted, for the full stop at the end of item (j), a semicolon; and there shall be inserted immediately thereafter a new item, namely “(k) actions in the Chancery Division in which the parties agree under rule 9 that the only matters to be determined are the mode of trial and time for setting down.”.

(2) After rule 1(6) there shall be inserted the following new paragraph:—

“(7) Notwithstanding anything in paragraph (1), any party to an action to which this rule applies may take out a summons for directions at any time after the defendant has given notice of intention to defend, or, if there are two or more defendants, at least one of them has given such notice.”.

(3) Rule 8(1)(e) shall be amended by substituting, for the words “in London, if the action is proceeding” to the end, the words “at the trial centre for the place in which the action is proceeding or at such other trial centre as the parties may in writing agree”.

(4) Rule 8(3) shall be amended by inserting, after the words “be appropriate”, the words “or prevent the making of an order for the transfer of the proceedings to a county court”.

(5) There shall be inserted, after rule 8, the following new rule:—

“Standard directions by consent in Chancery actions

9.—(1) Subject to paragraphs (2) and (3), where in any action in the Chancery Division the parties agree, not more than one month after the pleadings are deemed to be closed, that the only directions required are as to the mode of trial and the time for setting down, the provisions of rule 8(1)(e) and (g) shall apply and the action shall be tried by a judge alone and shall be set down within six months.

(2) In a case where the trial centre for the purpose of rule 8(1)(e) is Birmingham, Bristol or Cardiff the plaintiff or other party having the conduct of the action shall forthwith lodge in Chancery Chambers or, if the case is proceeding in a district registry, that registry, one copy of the pleadings in the action, and the provisions of rule 8(1)(e) shall have effect subject to any direction of the Court given under paragraph (3).

(3) The Court may give such further directions or orders, whether on application by a party or its own motion, as may, in the circumstances, be appropriate.”.