
EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Rules of the Supreme Court 1965 so as—

- (a) to make provision for the issue of writs when the Admiralty and Commercial registry is closed and for this and any other purposes to define the term “FAX” (*rules 2 to 6*);
- (b) to extend the circumstances in which service of a writ out of the jurisdiction is permissible to cover claims made under the Financial Services Act 1986 (*rule 7*);
- (c) to make provision for the disposal of cases on points of law or construction (*rules 8 to 10*);
- (d) to require a defendant to serve his defence on every other party to the action who may be affected by it (*rule 11*);
- (e) to clarify the procedure on appeal to the High Court where a case is stated by a tribunal or other body of its own motion (*rule 12*);
- (f) to enable the Court of Appeal to revise amounts of damages awarded by juries in all cases where the Court considers them excessive or inadequate (*rule 13*);
- (g) to provide for the service of documents by facsimile transmission and to amend the rules governing the service of documents through a document exchange (*rule 14*);
- (h) to abolish the requirement for specially endorsed affidavits in mortgage possession actions (*rule 15*);
- (i) to establish procedural requirements in relation to certain proceedings under the Companies Act 1989 (*rule 16*);
- (j) to provide that applications under section 245B(1) of the Companies Act 1985 be made by originating motion (*rule 17*);
- (k) to admit hearsay evidence in summary proceedings for the possession of land (*rules 18 and 19*);
- (l) to include those instruments referred to in the Contracts (Applicable Law) Act 1990 in the list of instruments whose interpretation may be referred to the European Court (*rule 20*);
- (m) to correct an error in the Rules of the Supreme Court (Amendment No. 2) 1990 (*rule 21*).