
EXPLANATORY NOTE

(This note is not part of the Order)

This Order modifies certain enactments in order to facilitate the making of Civil Procedure Rules. The changes are–

- to allow rules of court to prescribe the date from which interest on judgment debts should start to run;
- to allow the court, in accordance with rules of court, to disallow interest that would otherwise be payable on a judgment debt;
- to remove the requirement for rules of court to oblige the court to consider the stay of proceedings between husband and wife in an action in tort;
- to extend to all proceedings the power of the court to order discovery of documents against a potential party before proceedings have started;
- to extend to all proceedings the power of the court to order discovery of documents against a non-party;
- to remove the specific right of a child to bring proceedings in the county court without a next friend in an action for wages due to him;
- to bring the county court power to appoint assessors in line with that in the High Court;
- to remove the requirement that a certificate of service in the county court must be signed by the individual officer responsible for service; and
- to remove the requirement to seal documents issuing out of the county court and provisions relating to the evidential status of such documents to allow more flexible provisions to be made in the Civil Procedure Rules.