

1999 No. 1398 (L. 15)

SUPREME COURT OF ENGLAND AND WALES

**The European Parliamentary Election Petition (Amendment)
Rules 1999**

<i>Made</i> - - - -	<i>18th May 1999</i>
<i>Laid before Parliament</i>	<i>19th May 1999</i>
<i>Coming into force</i>	<i>10th 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 European Parliamentary Election Petition (Amendment) Rules 1999 and shall come into force on 10th 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 European Parliamentary Election Petition Rules 1979(b).

2. In rule 2(3):—

- (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”.

7. In rule 11, for “motion”, 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. Sections 136, 182 and 185 were applied to European Parliamentary Petitions by S.I. 1999/1214, regulation 3(1) and schedule 1.

(b) S.I. 1979/521, renamed by virtue of section 3(1) of the European Communities (Amendment) Act 1986 (c. 58) and amended by S.I. 1988/557.

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”;
and
 - (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 application”, 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 18(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 10th June 1999.

Dated 18th 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 European Parliamentary Election Petition Rules 1979 consequent upon the implementation of the Civil Procedure Rules 1998.

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