
STATUTORY INSTRUMENTS

2018 No. 1135

The Education Administration Rules 2018

PART 4

COURT PROCEDURE AND PRACTICE

CHAPTER 8

Court orders, formal defects and shorthand writers

Court orders

4.40. Notwithstanding any requirement in these Rules as to the contents of a court order, the court may make such other order or in such form as the court thinks just.

Formal defects

4.41. No education administration proceedings are to be invalidated by any formal defect or any irregularity unless the court before which objection is made considers that substantial injustice has been caused by the defect or irregularity and that the injustice cannot be remedied by any order of the court.

Shorthand writers

4.42.—(1) The court may in writing nominate a person to be official shorthand writer to the court.

(2) The court may, at any time in the course of education administration proceedings, appoint a shorthand writer to take down the evidence of a person examined under rule 4.17 or section 236 of the Act.

(3) Where the education administrator applies to the court for an order appointing a shorthand writer, the education administrator must name the person that the education administrator proposes for the appointment.

(4) The remuneration of a shorthand writer appointed in education administration proceedings must be paid by the party at whose instance the appointment was made, or out of the estate, or otherwise, as the court may direct.

(5) Any question arising as to the rates of remuneration payable under this rule must be determined by the court.