

Judgment in
default of
defence.

8. If no defence is delivered and served within the time specified in rule 6 the plaintiff shall be at liberty after filing an affidavit of Service, to apply to the Judge to sign final judgment and the Judge may make such order as to judgment as he may deem just.

Setting down
for trial.

9. Either party may after delivery of the reply, or after the time provided therefor under rule 7 has elapsed, apply to the Registrar for the case to be set down for hearing and the Registrar shall notify both parties of the date fixed by the Judge:

Provided that either party may apply for a postponement thereof subject to such terms as the Judge may impose.

Non-
attendance
of parties.

10. (1) Where the plaintiff fails to attend the hearing the defendant shall be entitled to final judgment.

(2) Where the defendant fails to attend the plaintiff shall on proving his case be entitled to final judgment.

Retrial.

11. Where the plaintiff or defendant fails to appear at the hearing he shall be at liberty within six days of the date thereof to apply that the judgment be set aside and the Judge make an order for retrial or otherwise on such terms and conditions as he may deem fit.

Retrial.

12. An application for retrial shall be made by petition stating the grounds on which it is based, filed with the Registrar within three weeks after Judgment and served forthwith on the other parties to the suit.

Signing
judgment.

13. The successful party in an action shall be entitled to sign judgment and issue execution six days after the trial unless application shall have been made for a re-trial, or stay of execution.

Sale by
sheriff.

14. (1) The sheriff shall, when he cannot effect a sale of any property seized by him without a sacrifice of the reasonable value thereof, apply to the Judge for directions and for an order for delay and for enlarging the time for returning the writ.

(2) The sheriff shall cause a notice giving the time, place and particulars of sale of goods seized under execution to be fixed on the public notice board at Stanley and at such other places as he may decide.

Part II.

MATRIMONIAL CASES.

15. Proceedings shall be commenced by delivering to the Registrar a Petition in the Form B set out in the Schedule hereto together with an affidavit by the petitioner verifying the facts of which he has personal knowledge and deposing as to his belief in the truth of the other facts alleged therein. The Registrar shall thereupon issue the notices to appear in the Form C set out in the Schedule hereto.

Petition.

16. The petitioner shall serve or cause to be served personally on the respondent and every co-respondent named in the petition notice to appear, together with a copy of the petition certified by the Registrar, and shall within seven days of service in Stanley or thirty days of such service in any other part of the Colony file with the Registrar an affidavit of service.

Service of
petition, etc.

17. A respondent, co-respondent or any person named in a petition may within fourteen days of the service of such petition if served in Stanley, or sixty days if served in any other part of the Colony, file with the Registrar an answer to the petition and shall with every answer which contains matter other than a simple denial of the facts stated in the petition, file an affidavit verifying such other matter so far as he has personal knowledge and deposing to his belief in the truth of the rest of such other matters and shall serve on the petitioner forthwith a copy of such answer and affidavit and a notice to appear.

Answer.

18. (1) No reply shall be filed without leave of the Judge except where relief is claimed in the answer in which case a reply may be filed with the Registrar and the petitioner shall within fourteen days of the delivery of the answer forthwith serve a copy of such reply on the respondent.

Reply.

(2) No subsequent pleading shall be filed without leave of the Judge.

19. When a person is charged with adultery with any party to a case in which the Judge may consider, in the interest of any person not already a party to the suit, that that person should be made a party the Judge may allow that person to intervene upon such terms, if any, as he may deem just.

Power to
allow
intervention.

Setting down
for trial.

20. Any party may after delivery of the reply or the expiration of the time provided therefor under rule 18 (1) apply to the Registrar for the case to be set down for hearing and the Registrar shall notify all parties of the date fixed by the Judge:

Provided that any party may apply for a postponement thereof subject to such terms as the Judge may impose.

Intervention
against
making
absolute a
decree *nisi*.

21. (1) Any person desiring to shew cause against making absolute a decree *nisi* shall file with the Registrar an affidavit setting forth the facts upon which he relies and forthwith serve a copy thereof on the party in whose favour the decree has been pronounced.

(2) The party in whose favour the decree has been pronounced may within fourteen days after delivery of the said affidavit file with the Registrar an affidavit in answer and forthwith serve a copy thereof on the person showing cause and the person showing cause may within fourteen days of such service file and serve as aforesaid an affidavit in reply.

Decree
absolute.

22. An application to make absolute a decree *nisi* for dissolution of marriage shall be made in writing to the Registrar. The decree shall be pronounced in open Court.

Part III.

ENFORCEMENT OF MAINTENANCE ORDERS.

Prescribed
officer.

23. The prescribed officer for the enforcement of maintenance orders shall be—

- (a) if the order be made in the Supreme Court, the Registrar, or
- (b) if the order be made in a Court of Summary Jurisdiction, the Magistrate.

Provisional
orders.

Chapter 42.

24. The copy of a provisional order made by a Court in any part of His Majesty's Dominions outside the United Kingdom to which the Maintenance Orders (Facilities for Enforcement) Ordinance (in this Part called "the Ordinance") applies shall be sent to the Magistrate with the accompanying documents and a requisition for a summons.

25. The Magistrate shall notify the Governor and the Court issuing the order his decision on a provisional order made outside the Colony.

Notice of
decision.

26. When an order has been registered in the Court of Summary Jurisdiction at Stanley or a provisional order has been confirmed by that Court under the Ordinance all payments under the order shall be made to the prescribed officer.

Payments
into Court
under order.

27. All monies collected under an order as provided by rule 26 shall be paid to the Treasury for transmission through the Crown Agents for the Colonies to the officer specified by the Court issuing the order.

Transmission
of monies
collected.

28. When a provisional order made in the Colony under the Ordinance has been remitted to the Court of Summary Jurisdiction making the order for the purpose of taking further evidence the Magistrate or Justice shall notify the person on whose behalf the order was made the particulars of the further evidence required and the time and place fixed for taking it.

When further
evidence
required.

Part IV.

RECIPROCAL ENFORCEMENT OF JUDGMENTS.

29. In this Part the expression "the Ordinance" means the Reciprocal Enforcement of Judgments Ordinance and the definitions contained in section 5 of the Ordinance shall apply to this Part of these rules.

Definition.
Chapter 58.

30. An application under the Ordinance for leave to have a Judgment obtained in a superior Court in any part of His Majesty's Dominions outside the United Kingdom to which the Ordinance applies registered in the Supreme Court shall be made *ex parte* or by summons to the Judge. If the application is made *ex parte* the Judge made direct a summons to be issued.

Application.

31. The application shall be supported by an affidavit of the facts exhibiting the judgment or a verified or certified or otherwise duly authenticated copy thereof and stating that to the best of the information and belief of the deponent the

The affidavit

judgment creditor is entitled to enforce the judgment and the judgment does not fall within any of the cases in which under the Ordinance a judgment cannot properly be ordered to be registered. The affidavit must also, so far as the deponent can, give the full name, title, trade or business and usual or last known place of abode or business of the judgment creditor and judgment debtor respectively.

Title of
affidavit
and
summons.

32. The affidavit and the summons (if any) shall be intituled "In the Matter of the Reciprocal Enforcement of Judgments Ordinance, and in the matter of a Judgment of the (describing the Court) obtained in (describing the cause or matter) and dated the day of 19...".

Service of
summons.

33. The Summons (if any) for leave to register shall be an originating summons and (unless otherwise ordered by the Judge) shall be served in the same manner as a writ of summons is required to be served. The judgment debtor shall not be required to enter any appearance thereto.

The Order.

34. Any order giving leave to register shall be drawn up by or on behalf of the judgment creditor and when the order is made on a summons the order shall be served on the judgment debtor, but where the order is made on an *ex parte* application no service of the order on the judgment debtor shall be required.

Form of
Order.

35. The order giving leave to register the judgment shall state the time within which the judgment debtor is to be entitled to apply to set aside the registration. Such time where the judgment debtor is, or is ordinarily resident in the Colony shall ordinarily be sixty days, and when the judgment debtor is or is ordinarily resident out of the Colony shall depend on the distance from the Colony of the place where the judgment debtor resides and the postal facilities between the Colony and that place, and shall ordinarily be the same time as is limited for entering appearance after service out of the jurisdiction of a writ of summons or notice thereof.

The Register.

36. The register of judgments ordered to be registered under the Ordinance shall be kept by the Registrar. The judgment shall be registered therein in accordance with the order giving leave to register it.

37. There shall be entered in the register the date of the order for registration and of the registration, the name, title, trade or business and usual or last known place of abode or business of the judgment debtor and judgment creditor and the amount for which the judgment is signed and any special directions in the order for registration as to such registration and/or execution thereon and the particulars of any execution issued thereon.

Form of
Register.

38. Notice in writing of the registration of the judgment must be served on the judgment debtor within a reasonable time after such registration. Such notice shall (in the absence of an order by the Judge as to the mode of service thereof) be served on the judgment debtor by personal service (with power to order substituted service or service out of the jurisdiction or both) as in the case of a writ of summons, but the Judge may at any stage of the proceedings authorise or direct some other mode of service and if he does so the service shall be effected in accordance with such authority or direction.

Notice of
registration.

39. The notice of registration shall contain full particulars of the judgment registered and of the order for such registration and shall state the name and address of the judgment creditor on whom and at which service of any summons issued by the judgment debtor may be served. The notice shall state that the defendant is entitled, if he has grounds for doing so, to apply to set aside the registration and shall also state the number of days for applying to set aside the registration limited by the order giving leave to register.

Form of
notice.

40. The party serving the notice shall, within three days at most after such service, endorse on the notice or a copy or duplicate thereof the day of the month and week of the service thereof, otherwise the judgment creditor shall not be at liberty to issue execution on the judgment; and every affidavit of service of such notice shall mention the day on which such endorsement was made. This rule shall apply to substituted as well as other service. The three days limited by this rule may under special circumstances be extended by order of the Judge.

Endorsement
of service.

41. The judgment debtor may at any time, within the time limited by the order giving leave to register, after service on him of the notice of the registration of the judgment apply by

Application
to set aside
registration.

summons to the Judge to set aside the registration or to suspend execution on the judgment, and the Judge on such application, if satisfied that the case comes within one of the cases in which under section 2 (2), of the Ordinance no judgment can be ordered to be registered or that it is not just or convenient that the judgment should be enforced in the Colony or for other sufficient reason, may order that the registration be set aside or execution on the judgment suspended either unconditionally or on such terms as he thinks fit and either altogether or until such time as he shall direct :

Provided that the Judge may allow the application to be made at any time after the expiration of the time herein mentioned.

Summons to
set aside.

42. The summons referred to in rule 41 shall be an ordinary summons intituled in the same manner as the affidavit referred to in rule 32.

Execution.

43. No execution shall issue on a judgment registered under the Ordinance until after the expiration of the time limited by the order giving leave to register, and after service on the judgment debtor of notice of the registration thereof :

Provided that the Judge may at any time order that execution shall be suspended for a longer time.

Affidavit
of service.

44. Any party desirous of issuing execution on a judgment registered under the Ordinance must produce to the proper officer an affidavit of the service of the notice of registration.

Form of Writ
of Execution.

45. A writ of execution on a judgment registered under the Ordinance may be thus varied: instead of "which said sum of money and interest were lately before us in the Supreme Court" &c., insert "which said sum of money and interest were lately in . . . (describing the Court in which the judgment was obtained)" &c., "and which judgment has been duly registered in our Supreme Court pursuant to the Reciprocal Enforcement of Judgments Ordinance".

Certified
copy of
judgment.

46. Any application under section 3 of the Ordinance for a certified copy of a judgment obtained in the Supreme Court shall be made *ex parte* to the Registrar on an affidavit made by the judgment creditor giving the particulars of the

judgment and shewing that the judgment debtor is resident in some (state what) part of His Majesty's Dominions outside the Colony to which the Ordinance extends and stating to the best of his information and belief the title, trade, business or occupation of the judgment creditor and judgment debtor respectively and their respective usual or last known places of abode or business.

47. The certified copy of the judgment shall be an office copy and shall be sealed with the seal of the Supreme Court and shall be certified by the Registrar as follows :—

"I certify that the above copy of the judgment is a true copy of a judgment obtained in the Supreme Court in the Falkland Islands and this copy is issued in accordance with section 3 of the Reciprocal Enforcements of Judgments Ordinance.

(Signed).....
Registrar of the Supreme Court
in the Falkland Islands.

Part V.

GENERAL.

48. The offices of the Supreme Court shall be open daily (Sundays and public holidays excepted) from 9 a.m. to 12.30 p.m. and 2 p.m. to 4.30 p.m. except Saturdays when the hours shall be from 9 a.m. to 1 p.m. Office Hours.

49. The Registrar shall enter in the Action Book all writs, petitions and other proceedings in all actions and other matters commenced or referred to the Supreme Court. Action Book.

50. Any plaintiff or petitioner who is unable to serve or cause to be served a writ or petition upon any defendant or co-respondent personally may apply to the Judge for an order for substituted or other service and shall file in support of the application an affidavit setting forth the grounds on which it is made. Substituted service.

51. The Judge shall, where the party to any proceedings is or is ordinarily resident out of the Colony, state the time within which such party shall be served and file proceedings, as the case may be, regard being had to the distance from the Colony of the place where the party is or resides and the postal facilities between the Colony and that place. Extended time for service, etc., when party resident outside the Colony.

Procedure
on trial.

52. The plaintiff shall state his case to the Court and call his witnesses who shall be subject to cross-examination and re-examination, then the defendant shall state his case and call his witnesses, who shall be subject as aforesaid. The plaintiff shall have the final address except when the defendant does not call any witnesses, other than give evidence himself when he shall have the final address after the plaintiff.

Evidence
of persons
leaving
Colony.

53. When it is probable that a person who would be a witness in a case pending in the Supreme Court may leave the Colony before the case can be brought to trial the party requiring him may apply to the Registrar to have the evidence of that person taken before the Judge and shall forthwith give notice of such application to the opposite party, and the Registrar shall notify both parties of the day fixed by the Judge to hear such evidence. No such evidence shall be used unless the opposite party has had an opportunity of cross-examining the witness.

Evidence by
affidavit.

54. Evidence may be given by affidavit in the case of witnesses absent from the Colony but the Judge may on the application of any party or at his own discretion direct that any such witness shall be examined by commission.

New Trial.

55. (1) An application for a new trial may be made on the day of the trial if both parties are present or within twelve days from the day of the trial.

(2) Except where the application is made on the day of the trial the applicant shall, not less than six clear days before the hearing of the application, file with the Registrar and give to the opposite party notice in writing of the application stating the grounds thereof.

(3) The notice shall not operate as a stay of proceedings unless the Court otherwise orders.

(4) On receipt of the notice the Registrar shall unless otherwise ordered, retain any money in court until the application has been heard.

(5) An order for a new trial shall be in Form D in the Schedule.

56. The Registrar shall fix a date for the taxation of costs and shall tax the same but no costs shall be taxed unless the bill of costs has been delivered to the opposite party more than forty-eight hours before the date fixed for taxation.

Taxation
of costs.

57. Any person may with the consent of the Judge sue or defend as a poor person (without paying fees) :

Suing or
defending as
a poor person.

Provided he satisfies the Judge that—

- (a) he is not worth a sum exceeding £50 (excluding wearing apparel, tools of trade and the subject matter of such proceedings) ; and
- (b) his usual income from all sources does not exceed £2 a week ; and
- (c) in matrimonial cases, where the wife is the poor person, in addition to (a) and (b) that the poor person and her husband are not worth the amount specified in (a) and their joint income does not exceed the amount specified in (b) ; and
- (d) he has reasonable grounds for taking or defending or being a party to proceedings in the Supreme Court.

58. In all matters of practice and procedure not repugnant to or provided for in these rules, the practice and procedure of the High Court of Justice in England, shall, as far as possible, be adopted.

Other
practice, etc.,
of High Court
of Justice to
apply.

Form A.

WRIT.

GEORGE VI. by the Grace of God of the United Kingdom of Great Britain, and Ireland
and of the British Dominions beyond the Seas King, Defender of the Faith.

To of in the Colony of the Falkland Islands.
WE command you that within eight days (sixty days if residing outside Stanley) after the service of this writ on you,
inclusive of the day of such service you do enter or cause to be entered a defence to the complaint of
and take notice, that in default of your so doing the Plaintiff may proceed to Judgment and Execution.
The complaint set forth is

On all writs for debt or damages
the following shall be endorsed:
Plaintiff claims £ and
£ for costs.

If these amounts be paid into Court
within seven days further proceedings
will be stayed, but the defendant may
apply to have the costs taxed, and if
more than one-sixth be disallowed the
Plaintiff shall pay his own costs. If
the Defendant pays into Court three
days at least before trial a sum less
than that claimed but equal to or
greater than the amount for which
judgment is thereafter given he shall
be entitled to recover his costs from
the Plaintiff as from the date of such
payment.

Witness His Honour Judge of the Falkland Islands, this day of 19.....
This writ must be served within twelve months from the date hereof.

Registrar.

Form B.

Divorce and Matrimonial Causes.

To His Honour the Judge.

- The day of 19.....
The Petition of A.B. of sheweth—
1. That your petitioner was on the day of 19.....
lawfully married to C.B., then C.D., [Spinster or Widow] at the
Parish Church of, etc.
[Here state where the marriage took place]
2. That after his said marriage your petitioner lived and cohabited
with his said wife at and at and
that your petitioner and his said wife have had issue of their said
marriage children to wit:
[Here state the names and ages of the children of the marriage]
3. That on the day of 19..... and on other
days between that day and the said C.B.,
at in committed adultery with R.S.
4. [Here set out in detail in separate paragraphs the alleged matrimonial
offences or other ground upon which relief is sought].

Your petitioner therefore humbly prays—
That your Honour will be pleased to decree :
[Here set out the relief sought].

And that your Petitioner may have such further and other relief in
the premises as may seem fit.

[Petitioner's signature]

Form C.

In the Supreme Court

Falkland Islands

To of

TAKE NOTICE that you are required within eight days (thirty days
if residing outside Stanley) after service hereof upon you, inclusive of the
day of service to make answer to this petition (answer) and that in default
of your so doing the Court will proceed to hear the petition (answer) and
pronounce judgment, your absence notwithstanding.

Dated at Stanley, Falkland Islands, the day of
19.....

Registrar.

Form D.

Order for New Trial.

[Title]

On the application of the

IT IS ORDERED that upon

[Here set out the terms and conditions on which the order is made]

the Judgment in this Action, and all subsequent proceedings thereon be set aside and a New Trial had between the parties on the day of 19 at the hour of in the noon.

Dated this day of 19

.....
Registrar.

Court Fees Rules.

No. 1 of 1949. Section 68. 69 1/60

Short title.

1. These Rules may be cited as the Court Fees (Civil Cases) Rules.

Supreme Court.

2. The fees prescribed in the first schedule to these rules are payable in all civil actions and matters (other than Probate actions) commenced in the Supreme Court.

2/73 Court of Summary Jurisdiction.

3. The fees prescribed in the second schedule to these rules are payable in all civil actions and matters commenced in a Court of Summary Jurisdiction.

The Magistrates Court at a Notarial.

4. The fees prescribed in the third schedule are payable on the specified notarial acts performed by a notary public to a Notary Public him

2/55

When fees are payable.

1/60

Calculation of fees.

5. All fees shall be paid before the pleading is entered or the process prepared or issued, provided that the fees payable under fee 11 of the second schedule to these rules may be paid immediately after the hearing of a trial or action.

6. For the purpose of calculation of poundage for fees a part of a £ shall be considered to be £1.

FIRST SCHEDULE.

Fee.		£	s.	d.
1.	On sealing writ	15	0	
2.	On filing a divorce petition	10	0	
3.	„ „ an amended writ	2	6	
4.	„ „ an amended divorce petition	2	6	
5.	For citation, first (divorce)	12	0	
6.	For citation, second and subsequent	8	0	
7.	On entering reply (divorce)	8	0	
8.	For certifying copy of divorce petition	4	0	
9.	On filing affidavit	2	0	
10.	For each witness summons	4	0	
11.	On entering defence in action	5	0	
12.	On entering reply in action	5	0	
13.	On setting down case for trial	1	0	0
	If the trial or hearing occupies more than five hours, for each additional complete hour a further fee of	5	0	
14.	On entering or sealing a judgment decree or order	1	0	0
	Note.—This fee is payable where a judgment, decree or order is made by consent. Where this fee is paid on a decree nisi in a matrimonial cause no fee is payable on the decree absolute.			
15.	On filing a notice of appeal to the Supreme Court	1	0	0
16.	On application for leave to issue a third party notice	5	0	
17.	On application for leave to issue execution	1	0	0

for every £ of the first £100 of the Judgment Order and 6d. for every additional £.

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18. On the issue of a warrant of execution

1 0 for every £ of the first £100 and 6d. for every additional £ for which the warrant issues.

19. On the issue of a warrant for possession

(1) not for the recovery of a sum of money

10 0

(2) for the recovery of a sum of money in addition to possession

10 0 in addition to 1/- for every £ of the first £100 and 6d. for each additional £ for which the warrant issues.

20. On the issue of a warrant of delivery

1 0 for every £ of the first £100 and 6d. for each additional £ of the value of the goods to be delivered and costs and damages.

21. For an office copy of the Judge's note

1 0 for each folio of 72 words.

22. For leave to appeal to the Privy Council including recognisance and sealing

20 0 0

23. Taxing costs

1 0 for every £4 or part thereof allowed.

24. Reviewing costs

1 0 0

25. Warrant for absconding debtors

1 0 0

26. Power of attorney under Seal of the Colony

1 0 0

SECOND SCHEDULE.

£ s. d.

Fee 1. On entering a complaint:

(1) for the recovery of a sum of money not exceeding £2

2 0 120

exceeding £2, not exceeding £5

3 0 30

" £5 " " £10

5 0

" £10 " " £15

7 0

" £15 " " £20

9 0

" £20 " " £25

10 0

" £25 " " £30

12 0

" £30 " " £35

15 0

" £35 " " £40

17 0

" £40 " " £50

19 0

" £50 " "

1 0 0

(2) for recovery of land:

(a) on expiration of term or notice to quit

5 0 £1.25

(b) on forfeiture for non-payment of rent

fee 1 (1) calculated on rent in arrear.

(3) for delivery of goods

fee 1 (1) calculated on value of goods.

(4) for any other remedy or relief

1 0 0 £5

2. On filing a counterclaim

The difference between the fee which would have been payable had the counterclaim been an original claim and the fee paid by the plaintiff.

3. On application for leave to issue a third party notice

2 6 £1.

Note.—The above fees include preparation and service of summons, etc.

4. (1) On the hearing of a trial or action

An amount equal to that paid under Fee 1.

(2) If the amount claimed and fees are paid into Court more than 2 days before the hearing

One quarter of Fee 4 (1).

(3) If the defendant does not appear, or consents to judgment for the plaintiff in Court

One half of Fee 4 (1).

Deleted and substituted by 3/79

Deleted and substituted by 3/79

5. On the trial or hearing of a counter-claim The fee payable under Fee 2.
6. On application for an order for the attendance of a judgment debtor ~~2/6.~~ £2
7. On application for leave to issue execution 10p
 6d. for every £1 of the Judgment Order. ~~Maximum 5/-.~~
8. On the issue of a warrant of execution ~~10p~~
 6d. for every £1 for which the warrant issues. ~~Maximum 10/6.~~
9. On the issue of a warrant of possession
 (1) not for the recovery of a sum of money Fee 1 (2) or 1 (3) whichever is applicable. ~~Maximum 10/6.~~
- (2) for the recovery of a sum of money in addition to possession ~~10p~~
 Fee 9 (1) in addition to 6d. for every £1 for which the warrant issues. ~~Maximum 10/6.~~
10. On the issue of a warrant of delivery
 (1) not for the recovery of damages or costs 10p
 6d. for every £1 of the value of the goods to be delivered. ~~Maximum 10/6.~~
- (2) for recovery of damages or costs in addition to delivery 10p
 Fee 10 (1) in addition to 6d. in every £1 for which the warrant issues. ~~Maximum 10/6.~~
11. On issue of a judgment summons 10p
 6d. for every £2 or part thereof for which the summons issues.
12. On hearing of a judgment summons Fee 11.
13. On issue of an order for commitment made on a judgment summons 10p
 6d. for every £1 for which the order issues. ~~Maximum 10/6.~~
14. On entering garnishee proceedings ... Fee 1 (1).

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- ~~15. On hearing garnishee proceedings ... Fee 4.~~
16. On the issue of a witness summons ~~1/-.~~ 25p.
17. For an office copy of a Magistrate's note 20p.
 6d. for each folio of 72 words.

Deleted and substituted by 3/79

THIRD SCHEDULE.

1. Power of Attorney	10-0	2.50
2. Noting a Protest	1-1-0	2-5-0 5.25
3. Extending a Protest	2-2-0	11.00
4. For each copy of Protest	1-1-0	5.25
5. Protesting Bill of Exchange, Promissory Note	15-0	3.75

PRIVY COUNCIL APPEALS RULES.

No. 2 of 1949.

Revoked by 3 of 1967

1. These Rules may be cited as the Privy Council Appeals Rules. Short title.

2. The preparation of records and cases in appeals to His Majesty in Council shall be in accordance with these Rules.

3. The Registrar, as well as the parties and their legal agents, shall endeavour to exclude from the record all documents (more particularly such as are merely formal) that are not relevant to the subject-matter of the appeal, and, generally, to reduce the bulk of the record as far as practicable, taking special care to avoid the duplication of documents and the unnecessary repetition of headings and other merely formal parts of documents; but the documents omitted to be copied or printed shall be enumerated in a list to be placed after the index or at the end of the record.

Irrelevant documents to be excluded from the record.

4. Where in the course of the preparation of a record one party objects to the inclusion of a document on the ground that it is unnecessary or irrelevant, and the other party insists upon its being included, the record as finally printed shall, with a view to the subsequent adjustment of the costs of and

Cases in which there is a conflict between parties as to the relevancy of a document.

incidental to such document, indicate in the index of papers, or otherwise, the fact that, and the party by whom, the inclusion of the document was objected to.

The record to be printed.

5. The record shall be printed in accordance with the rules set forth in the Schedule hereto. It may be so printed either in the Colony or in England.

Duty of the Registrar when the record is to be printed in England.

6. Where the record is to be printed in England, the Registrar shall, at the expense of the appellant, transmit to the Registrar of the Privy Council one certified copy of such record, together with an index of all the papers and exhibits in the case. No other certified copies of the record shall be transmitted to the agents in England by or on behalf of the parties to the appeal.

Duty of Registrar when the record is not printed in England.

7. When the record is not printed in England the Registrar shall, at the expense of the appellant, transmit to the Registrar of the Privy Council forty copies of such record, one of which copies he shall certify to be correct by signing his name on, or initialling every eighth page thereof and by affixing thereto the seal of the Supreme Court.

When part of the record is printed in England and part out of England.

8. When part of the record is printed outside England and part of the record is to be printed in England rules 6 and 7 above shall, as far as practicable apply to such parts respectively.

Case of each party to be printed.

9. The case of each party to the appeal shall be printed in accordance with the rules set forth in the Schedule hereto, every tenth line thereof being numbered in the margin, and shall be signed by at least one of the counsel who attends at the hearing of the appeal, or by the party himself if he conducts his appeal in person.

Preparation of the case.

10. The case shall consist of paragraphs numbered consecutively and shall state, as concisely as possible, the circumstances out of which the appeal arises, the contentions to be urged by the party lodging the same, and the reasons of appeal. References by page and line to the relevant portions of the record as printed shall, as far as practicable, be printed in the margin, and care shall be taken to avoid, as far as possible, reprinting long extracts from the record.

SCHEDULE.

1. Records and cases shall be printed in the form known as demy quarto (i.e. 54 ems in length and 42 in width).
2. The size of the paper used shall be such that the sheet, when folded and trimmed, will be 11 inches in height and 8½ inches in width.
3. The type to be used in the text shall be Pica type, but Long Primer shall be used in printing accounts, tabular matter and notes.
4. The number of lines in each page of Pica type shall be 47 or thereabouts, and every tenth shall be numbered in the margin.

CHAPTERS 4 to 14.

No Subsidiary Legislation.

CHAPTER 15.

CURRENCY NOTES.

RULES MADE BY THE GOVERNOR IN COUNCIL.

Section 13.

1. These rules may be cited as the Currency Notes Rules. Short title.
1/56
3/65
2/66
2. In these rules—
 “the Ordinance” means the Currency Notes Ordinance;
 “Commissioner” means the Commissioner of Currency. Definition.
1/75
3. The Commissioner shall be a Currency Officer for the purposes of these rules and he may appoint such other persons to be Currency Officers as the Governor may approve. Currency Officers.
4. All unissued currency notes, and all currency notes withdrawn from circulation by the Commissioner and selected for re-issue in accordance with rule 17, shall be kept in a strong fireproof vault (hereinafter referred to as “the Custody of currency notes.

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