THE ADMIRALTY RULES 1975, AMENDMENT NO. 3

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 2nd day of September 1991

Present:

THE RIGHT HON. J. B. BOLGER PRESIDING IN COUNCIL

PURSUANT to the Admiralty Act 1973, the Judicature Act 1908, and the Shipping and Seamen Act 1952, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and with the concurrence of the Right Honourable the Chief Justice and at least two of the other members of the Rules Committee (of whom at least one was a Judge of the High Court), hereby makes the following rules.

RULES

1. Title and commencement—(1) These rules may be cited as the Admiralty Rules 1975, Amendment No. 3, and shall be read together with and deemed part of the Admiralty Rules 1975* (hereinafter referred to as the principal rules).

(2) These rules shall come into force on the 8th day of October 1991.

*S.R. 1975/85
  Amendment No. 1: S.R. 1975/293
  Amendment No. 2: S.R. 1987/170

2. Appraisement and sale of property—Rule 23 (6) of the principal rules is hereby revoked.

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the rules, but is intended to indicate their general effect.

These rules, which come into force on 8 October 1991, revoke the provision of the Admiralty Rules 1975 that provides that a commission for appraisement and sale is not to be executed until an undertaking in writing satisfactory to the Registrar to pay fees and expenses on demand has been lodged in the Registrar's office.

The provision is redundant as a fee of $750 is now prescribed by the Admiralty (Fees) Order 1991 in respect of the filing of a request for a commission for the appraisement and sale of any property.