

Serial Number 1940/181.



THE COURT OF APPEAL AMENDMENT RULES 1940.

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 14th day of August, 1940.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

PURSUANT to the Judicature Act, 1908, and section 3 of the Judicature Amendment Act, 1930, His 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 (so far as clause 2 hereinafter set out is concerned) with the concurrence of seven of the other members of the Rules Committee constituted under the Judicature Amendment Act, 1930 (three of such other members being Judges of the Supreme Court), and (so far as clause 3 hereinafter set out is concerned) with the concurrence of four of the other members of the said Rules Committee (three of such other members being Judges of the Supreme Court), doth hereby make the following rules.

R U L E S.

1. These rules may be cited as the Court of Appeal Amendment Rules 1940.

2. The rules of the Court of Appeal as set out in the Third Schedule to the Judicature Act, 1908, are amended by inserting next following Rule 15 thereof the following additional rules :—

“ 15A. Whilst this rule remains in force, when any matter is required to be printed it may, provided that reasonably stout and opaque paper is used and that the lines on both sides of a sheet are printed so as to register back to back, be printed bookwise—that is to say, on the obverse and reverse sides of every sheet (except covering sheets)—numbered in the margin at every tenth line, but in other respects in compliance with Rule 15.

“ 15B. Whilst this rule remains in force any matter not required to be printed may, provided that reasonably stout and opaque paper is used and that the lines on both sides of a sheet are typewritten so as to register back to back, be fairly typewritten bookwise—that is to say, on the obverse and reverse sides of every sheet (including an endorsement sheet)—on sheets 11 in. in height and $8\frac{1}{2}$ in. in width with a measure of $5\frac{3}{4}$ in. to the line, every fifth line being numbered in the margin.”

3. Rule 19 of the said rules is amended by adding thereto the following additional words: “ For the purposes of this rule the power of the Court to grant special leave may be exercised in such cases and on such terms as the justice of the case may require”.

C. A. JEFFERY,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.
Date of notification in *Gazette*: 15th day of August, 1940.
These regulations are administered in the Justice Department.