

Serial Number 1948/40



THE KING'S COUNSEL REGULATIONS 1948

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 22nd day of
March, 1948

Present :

THE HON. W. E. PARRY PRESIDING IN COUNCIL

PURSUANT to the Public Revenues Act, 1926, and in exercise of all other powers and authorities enabling him in this behalf, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. These regulations may be cited as the King's Counsel Regulations 1948.
2. These regulations shall come into force on the 1st day of April, 1948.
3. The regulations with respect to the appointment of His Majesty's counsel made by Order in Council of date the 21st day of January, 1907, published in the *Gazette* on the 24th day of the same month at page 240, are revoked.
4. Every appointment of His Majesty's counsel shall be made by the Governor-General in Council with the concurrence in each case of the Chief Justice of New Zealand.
5. On every appointment a fee of five guineas shall be paid for the patent, and shall be paid to the Receiver-General and form part of the Consolidated Fund.
6. Except when acting for His Majesty or the Attorney-General or other officer of the Government who may sue or be sued or be a party to legal proceedings in the public interest, His Majesty's counsel shall not (except in Chambers) appear in the Supreme Court or Court of Appeal or any other Court that is not an inferior Court unless junior counsel appears with him nor in any inferior Court except upon special retainer and a fee of at least ten guineas :

Provided that this regulation shall not apply to an appearance for a person suing or being sued *in forma pauperis* or as a poor person.

7. So long as this regulation is in force it shall take effect as a general licence to His Majesty's counsel, subject to the last preceding regulation, to be of counsel for any person against His Majesty in any trial suit or proceeding, whether civil or criminal, in any Court as often as there shall be occasion, except—

- (a) In any matter in respect whereof a retainer, whether general or special, is delivered to counsel for or on behalf of His Majesty or the Attorney-General or other officer of the Government who may sue or be sued or be a party to legal proceedings in the public interest :
- (b) So far as by express notice given to counsel the Attorney-General directs that the general licence hereinbefore conferred shall not apply.

T. J. SHERRARD,
Acting Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.
Date of notification in *Gazette* : 24th day of March, 1948.
These regulations are administered in the Crown Law Office.