

Serial Number **1954/37**

THE SUPREME COURT AMENDMENT RULES 1954

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 10th day of March 1954

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Judicature Act 1908, 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 eight of the other members of the Rules Committee constituted under the Judicature Amendment Act 1930 (four of those other members being Judges of the Supreme Court), hereby makes the following rules.

R U L E S

1. These rules may be cited as the Supreme Court Amendment Rules 1954, and shall be read together with and deemed part of the Code of Civil Procedure set out in the Second Schedule to the Judicature Act 1908 (hereinafter referred to as the Code).

2. (1) Table C in the Third Schedule to the Code (which relates to the scale of costs) is hereby amended by revoking paragraphs 11, 13, and 15, and substituting the following paragraphs:

“	£200 or Under	Over £200 to £500	Above £500
11. Preparing for trial for either party, in addition to costs under Nos. 1, 2, 3, or 10. (These costs, or a portion of them, may be allowed in addition to Nos. 5, 6, 7, and 8, if necessarily incurred): Provided that extra costs may be allowed, if certified for, having regard to the importance of the case and the time reasonably spent in preparation, but so that the total fee for preparation shall not exceed three times the amount in the appropriate scale.	£ s. 7 7	£ s. 10 10	£ s. 15 15

	£200 or Under	Over £200 to £500	Above £500
13. Trial or hearing of an action or of issues or of any proceedings under Chapter II of Part VII	£ s. 12 12	£ s. 8 per cent	£ s. 8 per cent up to £500, and 3 per cent on excess. 21 0"
15. Second and each succeeding day of hearing, if certified for, not exceeding	10 10	15 15	

(2) The said Table C is hereby further amended by revoking paragraphs 30, 33, and 36, and substituting the following paragraphs:

“30. Motions not specially provided for: £2 2s. to £21, as certified for.

“33. Summonses and other applications in Chambers: £2 2s. to £15 15s., as certified for.

“36. In addition to the foregoing items, all disbursements for—

“(a) Fees of Court:

“(b) Witnesses’ allowances actually paid by the party according to the scales set out in Table E:

“(c) Agency charges (including those incurred in preparing for trial) if specially allowed:

“(d) Interpreters’ fees and allowances actually paid by the party according to the scales set out in Table E:

“(e) Other necessary payments.”

(3) Rule 12 of the Supreme Court Amendment Rules 1950* is hereby consequentially revoked.

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

* Statutory Regulations 1950, Serial number 1950/58, page 199.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 11 March 1954.

These regulations are administered in the Department of Justice.