LIVERPOOL COURT OF PASSAGE

The Rules of the Court of Passage of the City of Liverpool (No. 1), 1950

1950 No. 272 (L. 4)

Made - - - 21*st December*, 1949
Coming into Operation 1*st February*, 1950

The Rules of the Liverpool Court of Passage(a) are hereby amended as follows:—

1. The following Rule shall be inserted in Order XVI after Rule 14 thereof:—

"14a. Nothing in Rules 13 & 14 of this Order shall prevent a married woman acting as next friend or guardian."

2. Order XXII (which relates to payments into and out of Court) shall be amended as follows:—

(1) The following paragraph shall be substituted for paragraph 3 of Rule 1:—

"(3) The notice shall be in Form 3 in Part II of Appendix B. Receipt of the notice shall be acknowledged in writing by the plaintiff within three days.

The notice may be modified or withdrawn or delivered in an amended form by leave of the Presiding Judge or Registrar upon such terms as may be just; provided that the defendant may without leave deliver a notice increasing the amount of any sum paid into court."

(2) There shall be inserted after Rule 5 the following Rule:—

"5A. Payment of hospital expenses.—Where, in an action for personal injuries, any party claims a sum for hospital expenses, the party against whom such claim is made may, in addition to or without any payment into court, pay to the hospital the amount for which he may be liable to the hospital under sub-section (2) of Section 36 of the Road Traffic Act, 1930, and such payment shall not be deemed to be an admission of liability.

Notice of the payment shall be given to all other parties to the action within seven days of the amount being paid."

(3) The following form shall be substituted for Form 3 in Part II of Appendix B:—

"No. 3.

Notice of payment into Court (O. 22, r. 1).

(Heading as in Form 6.)

Take notice that the defendant has paid into court £ and says that (£ part of) that sum is enough to satisfy the plaintiff's claim (for and £ the other part of that sum is enough to satisfy the plaintiff's claim for).

Dated the day of 19 ,

P.Q., Solicitor for the defendant C.D. to Mr. X.Y. the plaintiff's solicitor.

(and to Mr. R.S. Solicitor for the defendant E.F.)."

(a) S.R. & O. 1934 (No. 411) I, p. 947.

3. These Rules may be cited as the Rules of the Court of Passage of the City of Liverpool (No. 1), 1950, and shall come into operation on the first day of February, 1950.

Approved,

H. I. Nelson,
Presiding Judge.

These Rules are made with the concurrence of the authority for the time being empowered to make Rules of the Supreme Court.

A. E. A. Napier,
Secretary of the Supreme Court Rule Committee.

The Rules of the Court of Passage of the City of Liverpool (Crown Proceedings) 1950

1950 No. 271 (L. 3)

Made - - - - 21*st December*, 1949
Coming into Operation 1*st February*, 1950

The rules of the Liverpool Court of Passage(**a**) are hereby amended as follows :—

1. After Order 1 there shall be inserted the following order:—

"ORDER 1A

Civil Proceedings by or against the Crown

1. Save as provided by the Crown Proceedings Act, 1947(**b**), or by these rules :—

(*a*) the Rules of the Court shall, so far as may be, apply to all civil proceedings by or against the Crown instituted in the Court on or after the first day of February, 1950.

(*b*) such civil proceedings as aforesaid shall, so far as may be, take the same form as civil proceedings between subjects, and shall, if no special form is applicable, take the form of an action commenced by writ of summons ;

2. In Order III (which relates to the indorsement of claim on the writ of summons) there shall be inserted after Rule 3 the following Rule:—

"3A. Notwithstanding anything in Rule 2 or Rule 3 of this Order, the indorsement of claim in proceedings against the Crown shall contain information as to the circumstances in which it is alleged that the liability of the Crown has arisen and as to the Government departments and officers of the Crown concerned. In such proceedings if the defendant considers that the indorsement of claim does not contain sufficient information as aforesaid, the defendant may, at any time before the time limited by the writ of summons for appearance has expired, by notice in writing to the plaintiff request further information as specified in the notice. Where such a notice has been given the time for appearance shall expire four days after the defendant has notified the plaintiff in writing that the defendant is satisfied or four days after the Presiding Judge or Registrar has, on the application of the plaintiff by summons served on the defendant not less than seven days before the return day, decided that no further information as to the matters aforesaid is reasonably required."

(**a**) S.R. & O. 1934 (No. 411), I, p. 947. (**b**) 10 & 11 Geo. 6. **c. 44.**