

# Orders of the Royal Court.



I  
1957

IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

*The 14th day of December, 1957, before Sir Ambrose James Sherwill, C.B.E., M.C., Bailiff; present :— Arthur Falla, William Robert Freake Clark, Ernest Francis Lainé, Bertram Bartlett, Esquires, Donald Carey Brock, Esquire, C.B.E., Wilfred John Corbet, Esquire, O.B.E., Théophile Le Messurier Allez, Bertram Guy Blampied, Esquires, Richard Edward Gibson, Esquire, O.B.E., and Claude Fortescue Nason, Esquire, Jurats.*

## No. 1 Order, 1957

ENTITLED

### **The Royal Court (Security for Costs) Order, 1957**

THE ROYAL COURT, in pursuance of Article sixty-four of the Reform (Guernsey) Law, 1948, section twelve of the Royal Court of Guernsey (Miscellaneous Reform Provisions) Law, 1950, and of all other powers enabling it in that behalf, hereby makes the following rules:—

1. (1) The Court may, on an application being made to it in that behalf, require security for costs in any legal proceedings to be given by the plaintiff or, in the case of an appeal, by the appellant, and such security shall be of such amount and shall be given within such time and in such manner and form as the Court may direct.

(2) An application, under the provisions of the last preceding paragraph, for security for costs shall only be granted by the Court if the plaintiff or, in the case of an appeal, the appellant is ordinarily resident out of the jurisdiction and such application may be granted notwithstanding that the plaintiff or the appellant, as the case may be, is temporarily resident within the jurisdiction.

(3) When an order is made requiring security for costs to be given in any legal proceedings, the Court may decide that those proceedings shall be stayed until security is given and, if security is not given within such time as is prescribed by the Court, those proceedings may, upon the application of the defendant or of the respondent, as the case may be, be dismissed.

2. (1) Where security for costs, as required by the Court under the provisions of Rule one of these Rules, consists of the payment of money into Court, the money shall be paid to Her Majesty's Greffier who shall credit an account maintained solely for that purpose with the amount so paid and such amount shall be thereafter released by Her Majesty's Greffier only on being so directed by the Court.

(2) Where security for costs, as required by the Court under the provisions of Rule one of these Rules, consists of a bond it shall, unless the Court shall otherwise direct, be given to the party or person in whose

favour the security is given and not to Her Majesty's Greffier.

3. For the purposes of these Rules the expression "the Court" means the Royal Court sitting as an Ordinary Court.

4. These Rules shall come into operation on the fourteenth day of December, nineteen hundred and fifty-seven.

JAMES E. LE PAGE,

Her Majesty's Greffier.