

HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

COMMERCIAL CAUSES

NOTICE

The Judges of the Queen's Bench Division desire to make, in accordance with the existing rules and orders, further provision for the dispatch of commercial business as herein provided:-

1. Commercial causes include causes arising out of the ordinary transactions of merchants and traders; amongst others, those relating to the construction of mercantile documents, export or import merchandise, affreightment, insurance, banking, and mercantile agency and mercantile usages.

2. A separate list of summonses in commercial causes will be kept at chambers. A separate list will also be kept for the entry of such causes for trial, but no cause shall be entered in such list which has not been dealt with by a Judge charged with commercial business, upon application by either party for that purpose or upon summons for directions or otherwise.

Commercial causes may be transferred from the Chancery Division to the Queen's Bench Division in accordance with the existing practice.

3. With respect to town commercial causes it is considered desirable, with a view to dispatch and the saving of expense, that all applications shall be made direct to the Judge charged with commercial business, and with respect to country commercial causes applications may by consent of the parties be made to him in like manner.

4. As to commercial causes already entered for trial, application may be made to such Judge by either party to enter the same in the commercial cause list.

5. Applications in commercial causes under Order 14 shall be made as heretofore, but where leave to defend has been given, such causes may be dealt with like other commercial causes.

6. Application may be made to such Judge under the provisions of the Judicature Act 1894, and the rules thereunder, or by consent, to dispense with the technical rules of evidence for the avoidance of expense and delay which might arise from commissions to take evidence and otherwise.
7. Application may also be made to such Judge, after writ or originating summons, for his judgment on any point of law.
8. Such Judge may at any time after appearance and without pleadings make such order as he thinks fit for the speedy determination, in accordance with existing rules, of the questions really in controversy between the parties.
9. Parties may, if they so desire, agree that the judgment or decision of such Judge in any cause or matter shall be final.
10. Application may be made to such Judge in urgent cases to fix an early date for the hearing of any cause or matter.
11. Summonses may be entered in the list of commercial summonses on and after Wednesday the 20th day of February next; these will be heard by Mr Justice Mathew, who, on Friday the 1st day of March next will sit, and thenceforward will, until further notice, and as far as practicable, continue to sit de die in diem for the dispatch of commercial business. Where necessary, other Judges of the Queen's Bench Division will assist in the disposal of commercial business.
12. County commercial causes will be tried as usual at the Assizes.

By Order.