

PRIVATE BILLS

**RULES FOR THE PRACTICE AND  
PROCEDURE OF THE  
COURT OF REFEREES**

*(Presented in pursuance of Standing Order 91)*

---

*Ordered by The House of Commons to be printed  
19th November 2002*

---

PUBLISHED BY AUTHORITY OF THE HOUSE OF COMMONS  
LONDON — THE STATIONERY OFFICE LIMITED  
£3.00

**Rules for the Practice and Procedure of the Court of Referees on Private Bills  
(in pursuance of Standing Order 91)**

*Notice of objection to petition*

1. The promoters of any private bill who intend to object to the right of any petitioner to be heard against that bill shall, through their agent, give Notice of Objection in writing, stating the grounds of their objection, to the Clerk of the Court of Referees, by depositing such Notice in the Private Bill Office, and, to the petitioner or his agent.

*Time for depositing Notice*

2. Notice of Objection must be given not later than the eighth day after the day on which the Petition has been deposited in the Private Bill Office; but the Chairman of Ways and Means shall have discretion to allow such Notices to be given under special circumstances after the expiry of that time-limit.
3. When the time for the deposit of Notices of Objections to the locus standi of petitioners against private bills expires during an adjournment of the House it shall be extended to the first day on which the House meets after the recess.

*Form and manner of presenting Notice*

4. Every Notice of Objection shall be endorsed with the name of the petitioner or his agent.
5. The agent for the promoters presenting a Notice of Objection shall, on the same day—
  - (a) deposit two copies of the Notice in the Private Bill Office; and
  - (b) serve two copies upon the petitioner or his agent.
6. Within three days after the day on which Notice of Objection has been given by the promoters—
  - (a) the petitioner or his agent shall make arrangements for fifteen copies of the petition to which Notice of Objection has been given to be deposited in the Private Bill Office; and
  - (b) the agent for the promoters shall deposit fifteen copies of the bill in the Private Bill Office.
7. A Notice of Objection may be withdrawn at any time by the agent for the promoters depositing notice in writing of withdrawal in the Private Bill Office and by serving a copy of that notice upon the petitioner or his agent on the same day.
8. Notices required to be deposited in the Private Bill Office shall be delivered in that Office between eleven o'clock and five o'clock on any day on which the House sits (other than a Friday, when they shall be delivered between eleven o'clock and three o'clock) and by prior arrangement between eleven o'clock and one o'clock on any day other than a Saturday, Sunday or Bank Holiday on which the House does not sit.
9. Notices will be deemed to have been duly served upon a petitioner or his agent if—
  - (a) it is delivered in person or left at his address or office before six o'clock in the evening; or
  - (b) it is forwarded by post by recorded delivery service and posted on or before the third day previously to the day on which delivery is required in person.

*Order of hearing cases*

10. The Private Bill Office shall give not less than seven clear days notice in the Private Business Notice Paper of the day appointed for the hearing of any case by the Court.
11. The cases shall be heard in such order as the Chairman of Ways and Means shall appoint, and according to a list prepared under his direction and kept in the Private Bill Office.

*Notice of appearance*

12 When the case is called on for consideration—

- (a) a petitioner whose locus standi has been objected to or his agent shall, not later than three days before the hearing of the case, confirm his intention to appear before the Court by providing the Private Bill Office with a notice stating the name of the petitioner, together with the names of any agent or counsel intending to appear before the Court as representatives of the petitioner; and
- (b) the agent for the promoters who have objected to the locus standi of a petitioner, shall, not later than three days before the hearing of the case, confirm their intention to appear before the Court by providing the Private Bill Office with a notice stating the names of the promoters and of the agent or counsel intending to appear before the Court as representatives of the promoters.

*Deposit of evidence etc.*

13 Where the promoters or a petitioner, or their agents or counsel, seek to rely upon documents when appearing before the Court, such documents shall be—

- (a) deposited in the Private Bill Office; and
- (b) served on the agent of the promoters, or with the petitioner, or his agent, as appropriate;

not later than three days before the hearing of the case; and rules 8 and 9 shall apply in respect of the deposit and service of the documents as though the documents were notices of objection.

14 Where the promoters, or a petitioner, or their agents or counsel, seek to call oral evidence, notice of those witnesses it is proposed to call shall be—

- (a) deposited in the Private Bill Office; and
- (b) served on the agent of the promoters, or with the petitioner, or his agent, as appropriate;

not later than three days before the hearing of the case; and rules 8 and 9 shall apply in respect of the deposit and service of the notices of witnesses as though the notices of witnesses were notices of objection.

*Procedure*

15 Subject to the discretion of the Court, on a case being called—

- (a) the petitioner whose right to be heard before the Committee is objected to, or his agent or counsel, may make a statement to the Court; and
- (b) the promoters who have given Notice of Objection, or their agent or counsel, may make a statement to the Court;

following which the Court may ask questions of the petitioners or the promoters and their agents or counsel.

16 Oral evidence may be called, and documents relied upon, at the discretion of the Court.

17 The Court may either allow or disallow the petitioner's locus standi, or may allow a limited locus standi with respect to part of the Bill only.

18 The Court may give its determination orally or in writing.

*Failure of petitioner or promoters to appear before Court*

- 19 If a petitioner whose right to be heard before a Committee is objected to, or his agent or counsel, fails to appear before the Court at the day and time appointed for the case to be heard, locus standi shall be disallowed.
- 20 If the promoters who have given Notice of Objection, or their agent or counsel, fail to appear before the Court at the day and time appointed for the case to be heard, the Notice of Objection shall be dismissed.

SIR ALAN HASELHURST  
*Chairman of Ways and Means*

House of Commons  
19th November 2002

Distributed by The Stationery Office Limited and available from:

**The Stationery Office**

(mail, telephone and fax orders only)

PO Box 29, Norwich NR3 1GN

General enquiries 0870 600 5522

Order through the Parliamentary Hotline *Lo-call* 0845 7 023474

Fax orders 0870 600 5533

You can now order books online at [www.tso.co.uk](http://www.tso.co.uk)

**The Stationery Office Bookshops**

123 Kingsway, London WC2B 6PQ

020 7242 6393 Fax 020 7242 6394

68-69 Bull Street, Birmingham B4 6AD

0121 236 9696 Fax 0121 236 9699

9-21 Princess Street, Manchester M60 8AS

0161 834 7201 Fax 0161 833 0634

16 Arthur Street, Belfast BT1 4GD

028 9023 8451 Fax 028 9023 5401

The Stationery Office Oriel Bookshop

18-19 High Street, Cardiff CF1 2BZ

029 2039 5548 Fax 029 2038 4347

71 Lothian Road, Edinburgh EH3 9AZ

0870 606 5566 Fax 0870 606 5588

**The Parliamentary Bookshop**

12 Bridge Street, Parliament Square

London SW1A 2JX

Telephone orders 020 7219 3890

General enquiries 020 7219 3890

Fax orders 020 7219 3866

The Stationery Office's Accredited Agents

(see Yellow Pages)

and through good booksellers

© Parliamentary Copyright House of Commons 2002

Applications for reproduction should be made in writing to the Copyright Unit,

Her Majesty's Stationery Office, St Clements House, 2-16 Colegate, Norwich NR3 1BQ

- Fax 01603 723000

ISBN 0-215-00639-9



9 780215 006394