

CHAPTER 4.
ADVOCATES' CLERKS.

ADVOCATES' CLERKS RULES.

RULES OF COURT MADE UNDER SECTION 12.

1. These Rules of Court may be cited as the Advocates' Clerks Rules.
2. In these rules, unless the context otherwise requires:—
 - “ complainant ” means a person making a complaint against a clerk;
 - “ Court ” means a District Court;
 - “ respondent ” means a clerk against whom a complaint is made.
3. Every complaint of misconduct on the part of a clerks shall be made to the District Court in which the clerk is registered.
- 4.-(1) If upon complaint made to a Court of misconduct on the part of a clerk, it shall appear to the Court that the complainant has a genuine and bona fide cause of complaint, the Court may direct the clerk to be brought before the Court forthwith, or as soon as is reasonably possible, and may then hear and determine the matter of the complaint forthwith, or adjourn it for further hearing, and may otherwise regulate the enquiry as to the Court may seem just:

Provided that, if in the opinion of the Court, the circumstances so require, it may direct a summons to be served upon the clerk setting out the matter or matters complained of.

 - (2) Service shall be effected by such person in such a manner and within such time as the Court shall direct.
 - (3) The summons shall be in the form in Appendix A with such variations as the circumstances may require.
5. The Court may require a complainant to state upon oath the matter or matters complained of and any particulars thereof.
6. Subject to the provisions of the Law and of these rules every proceeding in a Court under the Law shall, so far as the circumstances admit, be subject to the same rules of procedure as in the case of civil causes.
7. If a Court is of opinion that a complaint is frivolous or vexatious it may order the person making the complaint to pay such sum to the respondent in respect of any costs or charges or expenses he may have paid or incurred as to the Court shall seem just.
8. No complaint shall be withdrawn or discontinued without leave of the Court, and if any complainant fails duly to prosecute the proceedings the Court may of its own motion cause the proceedings to be continued and make such order upon the complainant as to the payment of costs as to the Court shall seem just.
9. A Court in addition to or instead of ordering the name of a clerk to be removed from the register, either permanently or for a period, may order him to pay to the complainant such sum as in the opinion of the Court will indemnify the complainant for any costs, charges and expenses paid or

incurred by him in respect of making the complaint and the proceedings thereon.

10. The fees specified in column II of Appendix B shall be chargeable in respect of the proceedings specified in column I of the said Appendix, and shall be taken by means of stamps which shall be applied and disposed of in the manner stated in column III of the said Appendix B:

Provided that no fees shall be payable by the Attorney General or by any Head of Department in respect of any proceedings on a complaint made by any of them in their official capacity:

Provided also that if a Court be satisfied that a complaint is made in good faith and on good grounds and that the complainant has not sufficient means to pay the prescribed fees, it may direct the remission of all or such fees in respect of the proceedings as it shall deem fit.

APPENDIX A.

(Rule 4 (3).)

In the District Court of

In the matter of

and

In the matter of the Advocates' Clerks Law, Cap. 4.

Take notice that you the above-named are hereby required to appear before this Court on the day of, 19, at o'clock in the noon on the hearing of a complaint made against you by of *that* (Set out particulars of matters alleged against the clerk).

Dated this day of, 19.

Judge of the District Court.

Appendix B.

(Rule 10.)

COURT FEES.

Column I	Column II	Column III
On filing a complaint	3S.	To be affixed to the document filed.
On issue of a summons	2S.	To be affixed to the copy filed.
On issue of a summons to a witness.	1S.	To be affixed to counterfoil of summons.
On filing any affidavit other than an affidavit of service.	2S.	To be affixed to the affidavit.
On filing an application for replacement of name on the register.	10S.	To be affixed to the statement filed.

On filing notice of appeal to the Supreme Court.

5S. To be affixed to the notice of appeal filed.

On entering any judgment directing payment of costs

2S. To be affixed to the judgment or order in the Judgment Book.

On issuing any writ of execution.

1S. To be affixed to the counterfoil in the book from which the writ is taken.