



Ref.: SC 101/16/28 VI

**High Court Registry/District Court Registry
Drafting and Approval of Orders**

The Registry receives a number of complaints about delay in approving orders. The Masters have investigated into the matter. Every day both Registries receive more than a hundred draft orders for approval. The files, to which the drafts relate, need to be located and retrieved. After retrieval the files with the draft orders are then passed to the relevant judicial clerks for action. Such procedure causes delay.

2. We notice that many orders are granted almost in the same term as prayed like those in the general chambers lists and call-over lists e.g. summons for directions and applications for charging orders absolute, garnishee orders absolute, ceasing to act as solicitors for a party, Order 88, Order 83A and Order 84A, and also directions in Order 14 call-over. There is no reason why a draft order cannot be prepared first and submitted for approval immediately after the order is made. It saves the time and costs of bringing the draft to court by a litigation clerk and it also saves the Registry's effort in locating the file.

3. Could we make the following suggestions and wish the practitioners to follow:

- (a) Solicitors for the party who initiates the application and has obtained the order shall forthwith lodge a draft order with the Master's clerk in the Chamber immediately after the hearing. The draft must be prepared in accordance with the existing practice: endorsed thereon with the phrase "Draft for approval" and duly signed by an authorized person of the firm.
- (b) If the Master makes an order slightly different from the draft already prepared by the solicitor, please ensure that the copies of the draft are duly amended.

(c) If the terms of the order made are substantially different from those contained in the application rendering the draft useless, a new draft order needs to be prepared and the solicitor will have to follow the existing practice of lodging it with the Registry through a designated window for the purpose.

(d) Please note that it is the duty of a judicial clerk to approve the draft order and the Master will not do it except in urgent cases upon request.

4. This circular applies to both the District Court and High Court.



Registrar, High Court
15 March 2002