

23.—The prescribed officers in London shall keep lists:—

(1) of solicitors and of counsel willing to be assigned to enquire into and report upon the application of any person to take or defend or be a party to any legal proceedings as a poor person;

(2) of solicitors and of counsel willing to be assigned to assist poor persons, when admitted, in the conduct of the proceedings.

It shall be the duty of such prescribed officers in London to furnish to each prescribed officer in the District Registries, on application, lists of all such solicitors and counsel willing to act within their respective districts.

24.—A person desirous of being so admitted as a poor person shall make an application in the form set forth in the Appendix hereto (which may be cited as Form No. 1 J of Appendix K to the Rules of the Supreme Court, 1883) stating his means and the names of the parties or of any proposed parties to such proceedings and the nature of the applicant's case, and giving the names and addresses of two persons to whom references can be made.

Such application shall be made:—

(a) in matters proceeding or intended to proceed in London to the prescribed officer in London;

(b) in matters proceeding or intended to proceed in a District Registry to the District Registrar.

25.—The application shall be referred for inquiry to one or more solicitors or counsel willing to act in the matter, whether named in the list to be kept pursuant to Rule 23 (1) or not, who shall report to the Court through the prescribed officer whether and upon what terms the applicant ought to be admitted as a poor person. For the purpose of their report the reporters may make such inquiries as they think fit as to the means and the position of the applicant and as to the merits of his case, and may require the attendance of the applicant, and may hear any other person, and may require facts to be proved by affidavit, and in making their report they shall have regard to the probable cost of the litigation in relation to the matter in dispute.

26.—Upon the production of the report mentioned in the preceding Rule the Court or Judge may, in their or his discretion, make an order admitting the applicant to take or defend or be a party to legal proceedings as a poor person, and the prescribed officer shall assign to the applicant a solicitor and a counsel (whether named in the list kept pursuant to Rule 23 (2) or not) to assist him in the conduct of the proceedings; but no solicitor or counsel who shall have reported on the case shall be so assigned, nor shall any co-partner or clerk or employer of a solicitor who shall have so reported be so assigned. It shall not be lawful for the applicant to discharge any solicitor or counsel so assigned without leave of the Court or a Judge.

27.—The Court or a Judge in considering whether a person shall be admitted as a poor person under these Rules shall have regard to the provisions of section 65 and section 66 of the County Court Act, 1888.

28.—A solicitor or counsel assigned under Rule 26 shall not be at liberty to refuse or discontinue his assistance unless he satisfies the

prescribed officer or the Court or a Judge that he has some good ground for so refusing or discontinuing.

29.—When a person is applying or is admitted to take or defend or be a party to any legal proceedings as a poor person he shall not be liable for any court fees or fees on taxation of costs nor to pay costs to any other party, except as provided by the Rules of this order; and no person shall agree to take or seek to obtain from him any fees, profits or rewards, either for enquiry or report or for the conduct of the proceedings; and any person so doing will be guilty of contempt of court. Provided that nothing contained in this Rule shall preclude any solicitor from receiving either from the poor person or out of any fund which may from time to time be created by the Treasury or approved by the Lord Chancellor the payment of the out-of-pocket expenses of such solicitor. If any person so applying or admitted shall give or agree to give any such fee, profit or reward, his application or admission, as the case may be, may be dismissed or struck out, in which case he shall not afterwards be admitted as a party to the same cause or proceeding as a poor person unless otherwise ordered.

30.—Costs ordered to be paid to a poor person shall, unless the Court or a Judge shall otherwise order, be taxed having regard to Rule 29 hereof, but in the event of a Judge certifying that the person ordered to pay such costs has acted unreasonably in prosecuting or defending or opposing the proceedings such costs shall include profit, costs and charges, but shall not include any fees to counsel.

31.—When a substantial amount is recovered by a poor person so admitted the Court or a Judge may order the payment out of the amount so recovered to the solicitor of such taxed costs (not including fees of counsel) as would have been allowed to the solicitor on taxation between himself and his client if he had been retained by his client in the ordinary manner (less such amount as may be recovered from any other party) or such other sum in respect of costs as the Court or Judge may order, provided that the total amount so paid out shall not in either case exceed one-fourth of the amount recovered.

31A.—Any out-of-pocket expenses allowed on taxation and recovered under any of the preceding Rules which shall have been already paid out of such fund as aforesaid shall be refunded.

31B.—Every notice of motion, summons or petition on behalf of a poor person (except an application for admission to take or defend or be a party to legal proceedings or for the discharge of his solicitor) shall be signed by his solicitor, and it shall be the duty of such solicitor to take care that no application be made without reasonable cause.

31C.—There shall be no appeal as a poor person to the Court of Appeal by anyone admitted to sue or defend or be a party to any legal proceedings under these Rules without leave of the Court or of the Judge before whom the matter is heard or of the Court of Appeal.

31D.—If any person who has not taken or been a party to any legal proceedings as a poor person in the High Court shall desire to be admitted on an appeal to the Court of Appeal as a poor person the like procedure shall be