

**CHAPTER 94**  
**STATUTORY INTERVENERS**

**Interpretation and application**

**94.1.**—(1) In this Chapter, “statutory intervener” means a person established by an enactment on whom a power to intervene in proceedings other than by taking part as a party has been conferred by an enactment.

(2) This Chapter is without prejudice to—

- (a) rule 58.14 (additional parties);
- (b) any other entitlement of a statutory intervener to seek to be sisted as a party to proceedings by virtue of any enactment conferring title and interest on it to do so.

**Application to intervene**

**94.2.**—(1) This rule applies where an enactment requires a statutory intervener to apply for leave to intervene in proceedings.

(2) An application for leave to intervene in proceedings is to be by way of minute of intervention in Form 94.2 and must set out—

- (a) the name of the statutory intervener and the relevant statutory provisions which confer power on it to intervene;
- (b) where the relevant statutory provisions prescribe conditions which must be satisfied before an application may be made by it or permission to intervene may be granted by the court, how it is considered those conditions are satisfied;
- (c) the issue in the proceedings which the statutory intervener wishes to address;
- (d) the propositions to be advanced by the statutory intervener and the reasons for believing that they are relevant to the proceedings.

(3) The statutory intervener must—

- (a) send a copy of the minute to all the parties;
- (b) lodge it in process, certifying that sub-paragraph (a) has been complied with.

(4) Where the relevant statutory provisions prescribe conditions which must be satisfied before leave to intervene may be granted by the court, leave to intervene may only be granted by the court if it is so satisfied.

(5) In granting leave, the court may impose such terms and conditions as it considers desirable in the interests of justice, including making provision in respect of any additional expenses incurred by the parties as a result of the intervention.

(6) The court is to give written intimation of a grant or refusal of leave to the statutory intervener and all the parties.

**Invitation to intervene**

**94.3.**—(1) This rule applies where an enactment makes provision for a statutory intervener to be invited by the court to intervene in proceedings.

(2) Where an enactment requires that the court be satisfied that intervention is likely to assist the court, it may invite an intervention only if it is so satisfied.

(3) An invitation by the court to a statutory intervener to intervene in proceedings is to be in Form 94.3 and the court is to send a copy of it to the statutory intervener and all the parties.

(4) An invitation is to be accompanied by—

- (a) a copy of the pleadings in the proceedings;
- (b) such other documents relating to the proceedings as the court thinks relevant.

(5) When issuing an invitation, the court may impose such terms and conditions as it considers desirable in the interests of justice, including making provision in respect of any additional expenses incurred by the parties as a result of the intervention.

#### **Form of intervention**

**94.4.**—(1) An intervention by a statutory intervener is to be by way of a written submission which (including any appendices) does not exceed 5000 words.

(2) The statutory intervener must lodge the submission and send a copy of it to all the parties by such time as the court may direct.

(3) The court may in exceptional circumstances—

- (a) allow a longer written submission to be made;
- (b) direct that an oral submission is to be made.

(4) Where a diet is fixed pursuant to paragraph (3)(b), the court is to give written intimation of the diet to the statutory intervener and all the parties.”.