THE HIGH COURT OF BOTSWANA ACT, 1967

RULES OF COURT, 1969 (AMENDMENT RULES) 1971

(Published on the 21*st May,* 1971*)*

It is hereby notified for general information that in the exercise of the powers vested in me by Section 28 of the High Court of Botswana Act, 1967 (No. 35 of 1967), I, John Richard Dendy Young, Chief Justice of Botswana, make the following amendments and additions to the Rules of the High Court, 1969.

1. These rules may be cited as the Rules of the High Court, 1969 (Amendment Rules) 1971, and shall come into operation on publication in the Gazette.

2. Order 56, rule 10, is hereby repealed and the following rule substituted:

"10. (1) In criminal matters an attorney's remuneration shall be specially agreed in advance in a gross sum or on the basis of a reasonable charge.

(2) Where the agreement is for remuneration in a gross sum, the gross sum shall cover all services of the attorney until the issues in the case shall be determined irrespective of the length of the case or the complexity of the issues.

(3) Where the agreement is for remuneration by way of reasonable charge, the client may demand a detailed bill of charges and expenses and if the client disputes the reasonableness of the charges and expenses he may, by notice of motion (which must state the grounds of objection), apply to a judge in chambers to determine the dispute and the judge may proceed summarily in the matter and may make such order (including an order as to costs of the motion) as he considers just.

(4) Where on the authority of the client an advocate is instructed to conduct the case, the charges of the attorney for work done by him shall, as far as practicable, be in accordance with the tariffs laid down in civil matters; and the attorney shall, on request, provide the client with a bill of charges. Such bill shall be taxable by the Taxing Master as if it were a bill of costs in a civil matter.

Dated at Lobatse this 19th day of April, 1971.

J.R. DENDY YOUNG,
Chief Justice.