

## CHAPTER 30

### WITHDRAWAL OF AGENTS

#### **Intimation of withdrawal of agent**

- 30.1.**— (1) This rule applies where an agent withdraws from acting on behalf of a party.
- (2) The agent must intimate withdrawal by letter to the Deputy Principal Clerk and every other party.
- (3) That letter must specify the last known address of the party.
- (4) Where any previously fixed hearing is to take place within 14 days from the date of the withdrawal, the agent must confirm in the letter that they have taken all reasonable steps to—
- (a) notify the party of the hearing date;
  - (b) advise the party that they must attend the hearing or arrange representation at the hearing to state whether or not they intend to proceed; and
  - (c) advise the party that a failure to attend or be represented at the hearing may result in the court granting decree or making another finding or order.
- (5) The Deputy Principal Clerk must lodge the letter in process

#### **Intimation to party whose agent has withdrawn**

**30.2.**-(1) The court shall, on the motion of any other party or, where there is no other party, at its own instance, pronounce an interlocutor ordaining the party whose agent has withdrawn from acting to intimate to the Deputy Principal Clerk within 14 days (or such other period as the court, on cause shown, thinks fit) after service of the notice as required by paragraph (2) whether or not he intends to proceed, under certification that if he fails to intimate whether or not he intends to proceed, the court may grant such decree or make such order or finding as it thinks fit.

(2) The party who enrolled a motion under paragraph (1) , or the court where there is no other party, shall forthwith serve a notice in Form 30.2 to the party whose agent has withdrawn from acting.

#### **Consequences of failure to intimate intention to proceed**

**30.3.** Where a party on whom a notice has been served under rule 30.2(2) fails to intimate to the Deputy Principal Clerk within the period specified in the notice that he intends to proceed, the court shall, on the motion of any other party where a certificate of service of the notice has been lodged in process, grant such decree, order or finding as it thinks fit.