

automatically transfer the action to the High Court – the claimants will need to launch an action in the court. However, it should not be necessary to start from scratch because it should be possible for all the evidence filed before the comptroller to be transferred into the court proceedings.

- 4 There remains the question of costs. Assuming the evidence gets transferred, I would expect the High Court to treat the costs incurred by the parties so far as costs in the court proceedings. If, and only if, that does not happen, either side is at liberty to come back to the comptroller, after the proceedings have been disposed of by the court, to seek an order for costs.

P HAYWARD

Divisional Director acting for the Comptroller