

(5) On the hearing and determination of an appeal or any proceedings preliminary or incidental thereto, under this Part, no costs shall be allowed on either side.

"1021B. (1) The registrar shall take all necessary steps for obtaining a hearing of any appeal or application, notice of which is given to him under section 1018 of this Act, and shall obtain and lay before the court of appeal in proper form all documents, exhibits, and other things relating to the proceedings in the trial court which appear necessary for the proper determination of an appeal or application.

(2) If it appears to the registrar that any notice of an appeal against a conviction, purporting to be on a ground of appeal which involves a question of law alone, does not show any substantial ground of appeal, the registrar may refer the appeal to the court of appeal for summary determination, and, where the case is so referred, the court of appeal may, if it considers that the appeal is frivolous or vexatious, and can be determined without adjourning the same for a full hearing, dismiss the appeal summarily, without calling on any persons to attend the hearing or to appear for the Crown thereon.

(3) Rules of court may be made to provide for furnishing the necessary forms and instructions in relation to notices of appeal or notices of application under section 1018 of this Act, to any person who demands the same, and to the registrar, clerk, or other chief officer of every provincial court having jurisdiction to try indictable offences, to magistrates having such jurisdiction, to sheriffs, to the warden of the penitentiary for the province, to gaolers or keepers of prisons within the province, and to such other officers or persons as may be designated by such rules of court. Every such warden, gaoler or keeper of a prison shall cause those forms and instructions to be placed at the disposal of prisoners desiring to appeal or to make any application under section 1018 of this Act, and shall cause any such notice given by a prisoner in his custody to be forwarded on behalf of the prisoner to the registrar.

"1021c. (1) In addition to the powers for making rules of court conferred upon every superior court of criminal jurisdiction by section 576 of this Act, the court of appeal shall have power to make rules of court, not inconsistent with any statute of Canada or of any province of Canada, for the purposes of carrying out the provisions of this Part relating to appeals from convictions on indictment.

(2) Rules so made may make provision for the practice and procedure upon such appeals and upon all matters arising out of, resulting from or incidental to such appeals.

(3) In so far as rules so made affect the warden, keeper or other officers of any prison, or any officer having the custody of a person convicted on indictment, the rules shall, in the case of prisons under the administration and control of the Minister of Justice, be subject to the approval of the Minister of Justice, and in the case of provincial prisons shall be subject to the approval of the Lieutenant-Governor in Council of the province.

(4) Copies of all rules made under the authority of this section shall be laid before both Houses of Parliament at the session next after the making, or making and approval thereof, and shall also be published in *The Canada Gazette*. If an address is presented to the Governor in Council by either House of Parliament, within the next subsequent thirty days on which that House has sat next after any such rule is laid before it, praying that the rule may be annulled, the Governor in Council may annul the rule, which shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

(5) The Governor in Council may make such provision as he deems fit for securing uniformity in rules made under the authority of this section by the several courts of appeal in the provinces.