

Subsidiary Legislation made under s.38.

SUPREME COURT (COVID-19 CONTINGENCY) RULES 2020

Revoked by LN.2020/193 as from 1.6.2020

LN.2020/114

Commencement

17.3.2020

ARRANGEMENT OF REGULATIONS.

Regulation

1. Title.
2. Commencement, expiry and renewal.
3. Closure of Supreme Court Registry etc.
4. Extension of Bail in Criminal Proceedings.
5. Issue of Claim Forms etc.
6. Conducting hearings by telephone etc.
7. Re-opening of Supreme Court Registry.
8. Relationship to other enactments.

1960-02
Revoked

Supreme Court

2020/114 **SUPREME COURT (COVID-19 CONTINGENCY)**
RULES 2020

In exercise of the powers conferred upon him by section 38 of the Supreme Court Act the Chief Justice has made these Rules -

Title.

1. These Rules may be cited as the Supreme Court (Covid-19 Contingency) Rules 2020.

Commencement, expiry and renewal.

2.(1) These Rules come into operation on 17 March 2020.

(2) These Rules cease to have effect-

(a) 30 days after the date of commencement unless they are extended in accordance with subrule (3); or-

(b) the Chief Justice, by Notice in the Gazette, appoints a day that is earlier than 30 days or earlier than the date that they have been extended to.

(3) These Rules may be extended by Notice in the Gazette for any further periods of up to 30 days at any one time.

Closure of Supreme Court Registry etc.

3.(1) The Registry is closed to the public until the expiry of these Rules but may be opened for such limited purposes as the Chief Justice may direct.

(2) The following further matters apply forthwith-

(a) all hearing dates are vacated; and

(b) all civil actions that have been commenced or are otherwise pending are stayed until 7 days after the Registry has fully re-opened to the public,

but nothing in this rule prevents a judge from dealing with an action or any other matter to which the provisions of paragraphs (a) or (b) apply if the judge is of the opinion that it would be in the interests of justice to do so.

(3) Fines and compensation falling due during the period of the Registry's closure shall be subject to a moratorium ending 14 days after the re-opening of the Registry.

SUPREME COURT (COVID-19 CONTINGENCY)
RULES 2020

2020/114

(4) Nothing in subrules (2)(b) and (3) affects any order made in family proceedings requiring periodical payments to be made through the Registry save that-

- (a) the Registrar may require that payment be effected by electronic means and not in person; and
- (b) liability arising from any failure to make payments in full is not affected by these Rules.

Extension of Bail in Criminal Proceedings.

4. A defendant in criminal proceedings to whom rule 3(2)(a) applies is deemed to have had bail extended-

- (a) on such terms and subject to such conditions as may have previously been imposed by the court that granted bail; and
- (b) that defendant must surrender to bail at the Supreme Court-
 - (i) on a day, being a working day, not later than 14 days after the Supreme Court Registry has re-opened to the public, or
 - (ii) on such day and at such time as the defendant is notified by the Registrar,

as the case may be.

Issue of Claim Forms etc.

5.(1) A person who seeks to issue proceedings or make an application at a time when the Registry is closed to the public pursuant to these Rules may do so-

- (a) by transmitting a copy of the prescribed form in a portable document format (pdf) by electronic means to an email address designated for such purposes by the Registrar; and
- (b) paying the appropriate fee, if any.

(2) The Registrar must ensure that an electronic confirmation of receipt is sent as soon as is reasonably practicable.

(3) Subject to subrule (4) and (5) any application that is regular that has been sent pursuant to this rule is deemed to have been issued on the day it was received electronically.

1960-02
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SUPREME COURT (COVID-19 CONTINGENCY)
RULES 2020

(4) Where a fee is payable the legal representative shall provide a written undertaking to effect full payment of the fee within 7 days of the re-opening of the Registry to the public.

(5) Where a litigant is unrepresented an undertaking to effect full payment of the fee within 7 days of the re-opening of the Registry to the public shall be provided by the litigant.

Conducting hearings by telephone etc.

6. Hearings may be conducted by telephone or by any other method of direct oral communication as a judge directs.

Re-opening of Supreme Court Registry.

7. The date that the Supreme Court Registry is to or has fully reopened to the public must be notified by the Registrar by notice in the Gazette and by such other means as the Registrar deems appropriate to inform the public of such opening.

Relationship to other enactments.

8. Whilst these Rules are in force-

- (a) they take precedence over any matter that is provided for in any other rules of court; and
- (b) any applicable rules, practice or procedure must be read with such necessary modifications as to give effect to these Rules.