

ANTIGUA AND BARBUDA



**EASTERN CARIBBEAN SUPREME COURT (SITTINGS OF THE COURT)
RULES 2014**

STATUTORY INSTRUMENT

2014, No. 43

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RULES 2014**

ARRANGEMENT

RULES

1. Citation
2. Commencement
3. General Sittings of the High Court in non-criminal matters
4. Criminal Sittings of the Court
5. Criminal Sittings of the High Court in Anguilla, Montserrat and Saint Christopher and Nevis
6. Sittings of the Court of Appeal
7. Vacations of the Court
8. Hearings in Vacations

**EASTERN CARIBBEAN SUPREME COURT (SITTINGS OF THE COURT)
RULES 2014**

STATUTORY INSTRUMENTS

2014, No. 43

In exercise of the powers conferred pursuant to section 17 of the Supreme Court Order 1967, the Chief Justice and two other Judges of the Supreme Court make these Rules—

1. Citation and Commencement

(1) These Rules may be cited as the Eastern Caribbean Supreme Court (Sittings of the Court) Rules 2014.

(2) These Rules shall come into effect on the 15th day of September, 2014.

2. Interpretation

In these Rules —

“law year” means the period from the 16th September to the 31st July of the following year.

3. General Sittings of the High Court in non-criminal matters

Except as otherwise provided for in these Rules or any other enactment, during the law year the High Court shall sit continuously in the States and Territories for the trial of civil and other non-criminal matters and the disposal of the regular business of the Court.

4. Criminal Sittings of the High Court

(1) Except as otherwise provided for in these Rules or any other enactment, the High Court shall sit continuously in its criminal jurisdiction in the States and Territories from the first Tuesday immediately following the end of any vacation, until the commencement of the next vacation.

(2) Sub-rule (1) shall not apply to Anguilla, Montserrat and Saint Christopher and Nevis.

5. Criminal Sittings of the High Court in Anguilla, Montserrat and Saint Christopher and Nevis.

(1) The High Court shall commence the trial of criminal matters—

- (a) in Anguilla on the first Tuesday of the months of March and October;
- (b) in Montserrat on the first Tuesday of the months of March, July and November;
- (c) in Saint Christopher on the first Tuesday of the months of January, May and September;
and
- (d) in Nevis on the first Tuesday of the months of April and November,

except that where the first Tuesday in any such month as specified above falls within the Court's vacation, or on a public holiday, then the trial of criminal matters shall commence on the first Tuesday following the end of the vacation or the next working day as the case may be.

(2) The Judge of the High Court may, with the concurrence of the Chief Justice, fix an alternative date for the commencement of criminal trials.

(3) Notice of the date fixed shall be published in the local *Gazette*, not less than seven days prior to the commencement of the sitting.

6. Sittings of the Court of Appeal

Except as otherwise provided for in these Rules or any other enactment, the Court of Appeal shall sit continuously in the States and Territories for the determination of appeals and applications in accordance with the schedule of sittings as the Chief Justice may direct.

7. Vacations of the Court

(1) There shall be 3 vacations observed by the High Court and Court of Appeal in each year—

- (a) Christmas vacation which begins on 23rd December and ends on 10th January;
- (b) Easter vacation which begins on the Thursday before and ends on the Saturday after Easter Sunday; and
- (c) Long vacation which begins on 1st August and ends on 15th September.

(2) The days of commencement and termination of each vacation shall be included in such vacation.

8. Hearings in Vacations

(1) During vacations the—

(a) Court of Appeal may sit to hear and determine appeals and applications as the Court of Appeal may direct; and

(b) High Court may sit to hear and determine trials and applications as a judge or master may direct.

(2) Any party to a claim or matter may at any time apply to the High Court for an order that a trial or application be heard during the vacation and, if the Court is satisfied that the matter requires to be immediately or promptly heard, it may make an order accordingly and fix a date for the hearing.

(3) Any party to an appeal may apply to the Court of Appeal for an order that an appeal or application relating to an appeal be heard during the vacation and, if the Court is satisfied that the matter requires to be immediately or promptly heard, it may make an order accordingly and fix a date for the hearing.

(4) An application made under sub-rule (2) may be determined on paper by a judge or master.

(5) An application made under sub-rule (3) may be determined on paper by a single judge of the Court of Appeal.

Made this 11th day of September, 2014.

Hon. Dame Janice M. Percira
Chief Justice

Davidson K. Baptiste
Justice of Appeal

Francis Belle
High Court Judge