BR 81/ 2006

COURT OF APPEAL ACT 1964

1964 : 221

RULES OF THE COURT OF APPEAL FOR BERMUDA AMENDMENT RULES 2006

The President of the Court of Appeal, in exercise of the powers conferred by section 9(1) of the Court of Appeal Act 1964, makes the following Rules:

Citation

1 These Rules may be cited as the Rules of the Court of Appeal for Bermuda Amendment Rules 2006.

Interpretation

2 In these Rules the "principal Rules" means the Rules of the Court of Appeal for Bermuda.

Amends Order 3/ 10

3 Rule 10 of Order 3 of the principal Rules is amended—

(a) by revoking, in paragraph (1), subparagraphs (c), (d), (e) and (f) and substituting the following subparagraphs next after subparagraph (b)—

"(c) a transcript of the arraignment and the plea entered to the indictment;

(d) a transcript of the Judge's summing-up to the jury, however recorded;

(e) a transcript of the proceedings on and after verdict, including the proceedings on sentence; and

(f) all rulings of the court below.".

(b) by inserting at the end of subparagraph (g) the words "and, on a guilty plea, the prosecution's summary of the facts".

(c) by inserting into subparagraph (h) after the word "notice" where it first appears, the words "and grounds".

(d) by inserting the following paragraph next after paragraph (2) —

"(3) No part of the evidence or proceedings other than those identified in subparagraphs (c) to (h) of paragraph (1) shall be transcribed without an order of the Court or a single judge; save in the case of a murder appeal, a full transcript of the proceedings shall be provided.".

Amends Order 3/ 11

4 Rule 11 of Order 3 of the principal Rules is amended by revoking paragraph (1)(d), and substituting the following sub paragraph—

"(d) a transcript of the proceedings in the Supreme Court;".

Commencement

5 These Rules shall come into operation on 1st December 2006.

Made this 10th day of November, 2006

President
Court of Appeal