

COURT OF APPEAL (AMENDMENT) RULES, 1999

(C.I. 25)

IN exercise of the powers conferred on the Rules of Court Committee by article 157(2) of the Constitution these Rules are made this 31st day of May, 1999.

C.I. 19 amended-

The Court of Appeal Rules 1997 (C.I. 19) as amended are hereby further amended as follows-

(a) by the substitution for rule 10 of the following- "10. The Registrar of the court below shall, after the notice of appeal has been filed, cause to be served a true copy of it on each of the parties mentioned in the notice of appeal and shall thereafter issue a certificate of service of appeal as in Form 4 in Part I of the Schedule.";

(b) by the substitution for subrules (1), (2) and (10) of rule 20 of the following-

"20. (1) An appellant shall within 21 days of being notified in Form 6 set out in Part I of the Schedule that the record is ready, or within such time as the Court may upon terms direct, file with the Registrar a written submission of his case based on the grounds of appeal set out in the notice of appeal and such other grounds of appeal as he may file.

(2) Where the appellant does not file the statement of his case in accordance with subrule (1), the Registrar shall certify the failure to the Court by a certificate as in Form II A in Part I of the Schedule and the Court may upon that order the appeal to be struck out. (10) This rule shall not apply to criminal appeals.";

(c) by the substitution for rule 38 of the following-

"38. Notice of appeal

A person desiring to appeal to the Court against any conviction, sentence, decree or order of a court from which appeal lies to the Court shall commence his appeal by sending to the Registrar of the court below, a notice of appeal in Form 1 or 2 set out in Part II of the Schedule with such adaptations and modifications as may be necessary";

(d) by the substitution for rule 39(1) of the following- "Conditions of Appeal

39. (1) A notice of appeal or notice of application for extension of time within which the notice shall be given shall be signed by the appellant or his counsel.";

(e) in subrule (1) of rule 41 by the substitution for "five" wherever it appears in the subrule of "four"

(f) in rule 52 by the insertion after "person" of "accused or";

(g) by the insertion after rule 59 of the following-

"59A Adaptation of forms in Part n of Schedule.

Where any person appeals to the Court against any judgment, decree or order of a court not being a conviction or sentence, the forms for criminal appeals in respect of conviction and sentence provided in Part 11 of the Schedule .to these Rules, shall be used with such adaptations and modifications as may be necessary for the purposes of the Between appeal";

(h) by the insertion after Civil Form II in Part I of the Schedule of the following form