

Practice Direction

Application of the Rules

No 9 of 2023

This Practice Direction is made pursuant to Rule 4.2 of the Supreme Court Civil Procedure Rules, 2022 (the Rules).

1. Introduction

1.1 This practice direction clarifies the application of the Rules to proceedings which were commenced prior to the commencement date.

2. Civil proceedings commenced prior to the commencement date and a trial date has not been fixed for those proceedings

2.1 The Rules apply to proceedings commenced prior to the commencement date where a trial date has not been fixed for those proceedings.

2.2 Any new interlocutory application which has to be made or any new document which has to be filed, including the Defence, must comply with the Rules.

2.3 A party may apply to a Judge by Notice, prior to the convening of the CMC required under 2(2)(a) of the Rules, for directions in respect of any proceedings commenced prior to the commencement date where a trial date has not been fixed for those proceedings.

3. Interlocutory applications filed prior to the commencement date but which have not been heard by the Court

3.1 Where the Rules apply to an application which had been filed with the Court prior to the commencement date but not heard by the Court, the parties will not be required to file new applications and the Court may proceed to determine the applications on the documents already filed with the Court.

3.2 The Court in managing the hearing of the interlocutory application may permit the parties to file any additional material which may be required for the application to be properly considered where the Rules now apply.



Sir Ian R. Winder
Chief Justice

21 March 2023