

**SECOND SUPPLEMENT TO THE GIBRALTAR  
GAZETTE**

No. 2,696 of 5<sup>th</sup> NOVEMBER, 1992.

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LEGAL NOTICE NO. 140 OF 1992.

**COURT OF FIRST INSTANCE ACT.**

**COURT OF FIRST INSTANCE (AMENDMENT) RULES, 1992.**

In exercise of the powers conferred on me by section 55 of the Court of First Instance Act, I make the following rules-

**Title.**

1. These rules may be cited as the Court of First Instance (Amendment) Rules, 1992.

**Amendment to rule 3.**

2. Rule 3 of the Court of First Instance Rules (hereinafter called "the principal Rules") is amended by omitting therefrom paragraph (xii).

**Amendment to rule 5.**

3. Rule 5 of the principal Rules is amended by omitting paragraph (iv) and substituting therefor the following two new paragraphs-

"(iv) where any document is required to be served on any person and no other mode of service is prescribed by any Act or rule, the document may be served-

(a) if the person is acting in person, by delivering it to him personally or by delivering it at, or sending it by post to, his address in Gibraltar for service or, if he has no address for service-

(i) by delivering the document at his residence or by sending it by post to his last known residence in Gibraltar; or

(ii) in the case of a proprietor of a business, by delivering the document at his place of business

or sending it by post to his last known place of business;

(b) if the person to be served is acting by a solicitor, by delivering the document at, or sending it by post to, the solicitor's address for service.

(v) where any document is required by any Act or rule to be served personally or where the clerk shall have expressly ordered that it be so served-

(a) service shall be effected by leaving the document with the person to be served;

(b) the document may be served by-

(i) a bailiff or process server of the court or, if the person attends at the office of the court, any other officer of the court; or

(ii) a party of the proceedings or some person acting as his agent; or

(iii) the solicitor of a party or a solicitor acting as an agent for such solicitor or some person employed by either solicitor to serve the document,

but service shall not be effected by any person under the age of 16 years."

Dated this 5th day of November, 1992.

A. A. KNELLER,  
Chief Justice.