

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 3,099 of 22nd April, 1999

LEGAL NOTICE NO. 46 OF 1999

COURT OF FIRST INSTANCE ACT

COURT OF FIRST INSTANCE (AMENDMENT) RULES 1999

The Chief Justice, in exercise of the powers conferred on him by section 55 of the Court of First Instance Act, and all other enabling powers, has made the following Rules -

Title and commencement.

1. These Rules may be cited as the Court of First Instance (Amendment) Rules 1999 and come into operation on 25th April, 1999.

Amendment of Rule 2 of the Court of First Instance Rules.

2. Rule 2 of the Court of First Instance Rules is amended -

- (a) in the first paragraph, by deleting “as amended from time to time and all other rules relating to the practice and procedure in the county courts from time to time in force in England” and substituting “and all other rules relating to the practice and procedure in the county courts in England as they stood on 25th April 1999”; and
- (b) in the second paragraph, by deleting the words “forming part of the practice from time to time in force in England” and substituting “forming part of the practice in force on 25th April 1999 in England”.

Amendment of Rule 3 of the Court of First Instance Rules.

3. Rule 3 of the Court of First Instance Rules is amended by deleting “from time to time in force” and substituting “in force on 25th April 1999”.

Amendment of Rule 4 of the Court of First Instance Rules.

4. Rule 4 of the Court of First Instance Rules is amended by deleting “or is hereafter” and substituting “, up to 25th April 1999,”.

Amendment of Rule 11 of the Court of First Instance Rules.

5. Rule 11 of the Court of First Instance Rules is amended by adding, after “all rules amending the said rules”, “up to 25th April 1999”.

Dated this 22nd day of April, 1999

FELIX E. PIZZARELLO,

Acting Chief Justice.

EXPLANATORY MEMORANDUM

These Rules amend the Court of First Instance Rules in order to ‘freeze’ the practice and procedure followed by county courts in England, and applied in Gibraltar, on 25th April 1999, the day before the new Civil Procedure Rules come into operation in England. (It is intended that the new Civil Procedure Rules will apply in Gibraltar at a later date.)