SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 3,164 of 2nd May, 2000

LEGAL NOTICE NO. 32 OF 2000

COURT OF FIRST INSTANCE ACT

COURT OF FIRST INSTANCE (AMENDMENT) RULES 2000

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 2000 and come into operation on the 4th May 2000.

Amendment of Rule 2.

2. Rule 2 shall be amended by -

(a) substituting the heading and first paragraph with the following:

"**Rules of court in England applied.**

Where no other provision is made by these rules or by any amending rules, or by any Act, rule or regulation in force in Gibraltar, the provisions of the rules of court in England known as the Civil Procedure Rules 1998 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, shall be in force in the Court of First Instance.".

(b) by deleting "forming part of the practice in force on the 25th April 1999 in England" and substituting therefor "forming part of the practice from time to time in force in England.".

Amendment of Rule 3.

3. Rule 3 shall be amended by deleting "in force on the 25th April 1999" and substituting therefor "from time to time in force".

Amendment of Rule 4.

4. Rule 4 is amended by deleting "to 25th April 1999" and substituting therefor "or is hereafter".

Amendment of Rule 5.

5. Rule 5 is amended -

(a) by deleting "County Court Rules" and substituting therefor "English Civil Procedure Rules".

(b) for paragraph (ii) there shall be substituted the following paragraph:

"**Applications**.

Applications shall be made to the judge.".

(c) by deleting paragraphs (vi) and (vii).

(d) by inserting at paragraph (x) after "All references to a court or judge", "or master or district judge".

Amendment of Rule 7.

6. Rule 7 is amended by deleting all those words following "be made by" and substituting therefor "application.".

Amendment of Rule 11.

7. Rule 11 is amended by deleting "County Court Rules 1981" and substituting therefor "the English Civil Procedure Rules" and by deleting "up to 25th April 1999".

Dated this 2nd day of May, 2000

D. SCHOFIELD,

Chief Justice.