

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 2,473 of 12th January, 1989.

LEGAL NOTICE NO. 3 OF 1989.

COURT OF APPEAL ACT (Act 1969 No. 28).

COURT OF APPEAL (AMENDMENT) RULES, 1989.

Rules of court made by the President in exercise of the power conferred on him by section 8 of the Court of Appeal Act.

Title.

1. These rules may be cited as the Court of Appeal (Amendment) Rules 1989 and shall be read as one with the Court of Appeal Rules (hereinafter referred to as the principal rules).

Amendment of rule 8.

2. Rule 8 of the principal rules is amended by deleting from subrule (1) the words "shall have power for sufficient reason to extend time" and substituting "may extend the time".

Replacement of rule 26.

3. Rule 26 of the principal rules is revoked and replaced by the following –

"26. An application to the court for leave to appeal

(a) may be made informally at the time when the decision is given against which it is desired to appeal; or

(b) shall be made in accordance with rule 17 within ten days of the giving of such decision."

Replacement of rule 30.

4. Rule 30 of the principal rules is revoked and replaced by the following

"30. (1) As soon as possible after notice of appeal has been given, the Registrar of the Supreme Court shall prepare a short transcript of the record, which shall contain the charges, pleas and the summing up:

Provided that where leave to appeal or a certificate that the case is a fit case for appeal is required, the Registrar shall not prepare the short transcript until such leave or certificate has been granted.

(2) A copy of the short transcript shall be served on the appellant or his solicitor at his address for service."

Amendment of rule 59.

5. Rule 59(3) of the principal rules is amended by deleting the words "or affirmed on grounds other than those relied upon by that court".

Dated this 12th day of January, 1989.

J. F. SPRY,

President.