

GUYANA

No. 1 of 1978

RULES

Made Under

THE HIGH COURT ACT

(Chapter 3:02)

UNDER SECTION 67 OF THE HIGH COURT ACT AND PURSUANT TO SECTION 40 OF THE MATRIMONIAL CAUSES ACT.

WE, JOSEPH OSCAR FITZCLARENCE HAYNES, CHANCELLOR, HAROLD BRODIE SMITH BOLLERS, CHIEF JUSTICE, VICTOR EMANUEL CRANE, JUSTICE OF APPEAL, MAURICE ALEXANDER CHURAMAN, PUISNE JUDGE, KENNETH WYNDHAM BARNWELL, REGISTRAR OF THE SUPREME COURT OF JUDICATURE, ALVIN OSWALD HUGH ROY HOLDER, BARRISTER-AT-LAW AND MAURICE ERIC CLARKE, SOLICITOR, BEING THE RULE MAKING AUTHORITY CONSTITUTED UNDER SECTION 67 OF THE HIGH COURT ACT DO HEREBY MAKE THE FOLLOWING RULES:—

1. These Rules, which amend the Rules of Court (Matrimonial Causes) * may be cited as the Rules of Court (Matrimonial Causes) (Amendment) Rules 1978 and shall come into operation on the day of 1978.
2. The Principal Rules are hereby amended in the following respects —
 - (a) by the revocation of rule 9 and by the substitution therefor of the following rule as rule 9 —

* Cap. 45:02 (Subsidiary Legislation).

“Petitioner
files
citation.

9.(1) Every petitioner who files a petition, affidavit and praecipe shall forthwith extract a citation and such copies thereof under the seal of the Court as are required for service under those Rules.

(2) The address given in the praecipe shall be within one mile of the office of the registry wherein the petition and praecipe were filed.”;

(b) by the revocation of rule 11 and by the substitution therefor of the following rule as rule 11 —

“Any party
may change
solicitor.

11. Any party to a cause shall be at liberty to change his or her solicitor upon filing notice of such change in the registry containing an address for service which shall be within one mile from the office of the registry in which the notice is filed and a copy of such notice shall be served upon the opposite party, but until the notice is filed and a copy thereof served, the former solicitor shall be considered the solicitor of the party until the final conclusion of the cause, whether in the Court of the first instance or the Court of Appeal.”;

(c) by the insertion in paragraph (1) of rule 12, immediately after the word “affidavit” of the words “together with a certificate of the Registrar in support thereof”;

(d) by the deletion of paragraph (4) of the said rule 12 and by the substitution therefor of the following paragraph —

“(4) An entry of appearance which may be filed in the office of the registry in New Amsterdam if the respondent resides in the county of Berbice or in the office of the registry in Georgetown if he resides outside the county of Berbice shall state in the memorandum of appearance an address within one mile of the office of the registry in which the appearance has been entered.”;

- (e) by the substitution in paragraph (1) of rule 14 for the word "registry" of the words "office of the registry in which appearance was entered"; and
- (f) by the addition to rule 16 of the following paragraph as paragraph (3) thereof:—

"(3) Where any document is filed in an office of the registry other than that out of which the citation was issued the former office shall forthwith notify the office of the registry out of which the citation was issued of the filing of such document."

Dated this 3rd day of March, 1978.

J. O. F. Haynes,
Chancellor

H. B. S. Bollers,
Chief Justice

V. E. Crane,
Justice of Appeal

M. A. Churaman,
Puisne Judge

K. W. Barnwell,
Registrar of the Supreme Court
of Judicature.

A. O. H. R. Holder,
Barrister-at-Law

M. E. Clarke,
Solicitor