

**THE CARIBBEAN COURT OF JUSTICE (APPELLATE JURISDICTION) (AMENDMENT)  
RULES, 2006**

1. These rules may be cited as the Caribbean Court of Justice (Appellate Jurisdiction) (Amendment) Rules, 2006 and shall come into force on the 27<sup>th</sup> June 2006.
2. (1) The Caribbean Court of Justice (Appellate Jurisdiction) Rules 2005 are hereby amended as set out in the Schedule.  
(2) Column I of the Schedule sets out the rules amended, Column II of the Schedule describes the amendment of the rule and Column III of the Schedule sets out the rule as amended.

Schedule

Part 1

Column I <i>The Rule</i>	Column II <i>Description of the Amendment</i>	Column III <i>The Rule as Amended</i>
PART 10 APPEALS  Contents of this Part	Delete the word “special” before the word “leave” in the sixth line of the “Contents of this Part”.	<b>PART 10 APPEALS</b>  <b>Contents of this Part</b> Commencement of appeal <span style="float: right;">rule 10.1</span> Applications for leave to appeal <span style="float: right;">rule 10.2</span> Applications to the court below for leave to appeal <span style="float: right;">rule 10.3</span> Special leave to appeal to the Court <span style="float: right;">rule 10.4</span> Applications to the Court for special leave to appeal <span style="float: right;">rule 10.5</span> Application for leave to appeal as a poor person <span style="float: right;">rule 10.6</span>
10.6(1)	Delete the word “special” in the heading which appears above Rule 10.6 (1).  Delete the words “special leave” in the first line of rule 10.6(1).	<b>Application for leave to appeal as a poor person</b> 10.6 (1) An applicant who seeks to appeal as a poor person shall file together with his application- (a) an affidavit stating - (i) that apart from his interest in the subject matter of the appeal the applicant’s net worth is less than EC \$5,000. or its equivalent in the currency of the relevant Contracting Party, and (ii) that he is unable to provide sureties, and  (b) a certificate signed by his attorney-at-law that the applicant has reasonable grounds of appeal.
10.6(2)	Delete the word “special” in the first line of rule 10.6(2).  Insert the words “either by the Court or by the court below,” after the words “poor person” in rule 10.6(2)	(2) A person who has been granted leave to appeal as a poor person either by the Court or by the court below, shall not be required to provide security for costs or to pay any of the Court fees set out in Schedule 1.
10.8(a)	Insert the words “subject to rule 10.6(2)” between the words “shall” and “determine” in rule	<b>Orders on applications for leave</b> 10.8 Where either the Court or the court below grants special leave to appeal or leave to appeal, as the case may be, it -

	10.8(a).	<p>(a) shall subject to rule 10.6(2) determine whether the applicant should provide security for costs and if so, shall specify the amount of such security and the form in which and the time by which it should be provided;</p> <p>(b) shall provide for the transmission of the record by the proper officer to the Registrar, and</p> <p>(c) may impose such other conditions or make such order or give such directions as it considers necessary.</p>

*Made by the President in consultation with five Judges of the Caribbean Court of Justice this 27<sup>th</sup> day of June , 2006.*

M.A. de la Bastide

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*The Right Honourable Mr. Justice Michael de la Bastide, TC  
President*

R.F. Nelson

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*The Honourable Mr. Justice Rolston Nelson  
Judge*

Duke Pollard

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*The Honourable Mr. Justice Duke E.E. Pollard  
Judge*

A. Saunders

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*The Honourable Mr. Justice Adrian Saunders  
Judge*

D.P. Bernard

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*The Honourable Mme. Justice Desiree Bernard, CCH, OR.  
Judge*

J. Th. Wit

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*The Honourable Mr. Justice Jacob Wit  
Judge*