

THE CARIBBEAN COURT OF JUSTICE (APPELLATE JURISDICTION) (AMENDMENT) RULES, 2008

1. These rules may be cited as the Caribbean Court of Justice (Appellate Jurisdiction) (Amendment) Rules, 2008 and shall come into force on the 1st day of April, 2008.
2. The Caribbean Court of Justice (Appellate Jurisdiction) Rules 2005 are hereby amended :
 - (i) by deleting Part 10 and substituting the new Part 10 set out in the First Schedule hereto;
 - (ii) in Part 11,
 - a) by deleting rule 11.1 and substituting the following:
“Time for filing notice of appeal
11.1 A notice of appeal shall be filed within twenty-one (21) days of service on the intended appellant of a certificate of compliance or of the grant of special leave by the Court.”
 - b) by deleting rule 11.3(f) and substituting the following:
“(f) follow Form 2 in Schedule 3”;
 - (iii) by deleting Part 13 and substituting the new Part 13 set out in the Second Schedule hereto;
 - (iv) by deleting Schedules 1, 2 and 3 and replacing them with the new Schedules 1, 2 and 3 set out in the Third Schedule hereto;
 - (v) by inserting after the new Schedule 3, the new Schedules 4 and 5 set out in the Fourth Schedule hereto.

Made by the President in consultation with five Judges of the Caribbean Court of Justice this 1st day of April, 2008.

M.A de la Bastide

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

Duke Pollard

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

A Saunders

*The Honourable Mr. Justice Adrian Saunders
Judge*

D.P. Bernard

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

J. Th. Wit

*The Honourable Mr. Justice Jacob Wit
Judge*

D Hayton

*The Honourable Mr. Justice David Hayton
Judge*

FIRST SCHEDULE

“PART 10

LEAVE TO APPEAL

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Commencement of appeal

10.1 An appeal shall commence with the filing of a notice of appeal.

Applications for leave to appeal

10.2 No notice of appeal shall be filed unless either

- (a) i) leave to appeal to the Court has been granted by the court below, and
- ii) a certificate of compliance has been issued pursuant to rule 10.9

or

- (b) special leave to appeal has been granted by the Court.

Applications to the court below for leave to appeal

10.3 (1) An application to the court below for leave to appeal shall be made by notice in writing within forty-two (42) days of the date of the judgment from which leave to appeal is sought.

- (2) An application to the court below for leave to appeal in cases in which the appeal is claimed to be as of right shall –
 - (a) identify precisely the constitutional or statutory provision under which the right of appeal is claimed;
 - (b) state succinctly such facts as may be necessary in order to demonstrate that the applicant is entitled to appeal under the provision so identified, and
 - (c) be signed by the applicant or his attorney-at-law.
- (3) An application to the court below for leave to appeal in cases in which the appeal is not claimed to be as of right, shall -
 - (a) state the point of law which the applicant wishes the Court to determine;
 - (b) state succinctly such facts as may be necessary in order to enable the court below to determine whether leave ought to be granted, and
 - (c) be signed by the applicant or his attorney-at-law.

Service of notice of application to the court below and notice of hearing

- 10.4** (1) A notice of application to the court below for leave to appeal shall be served by the applicant upon each respondent within seven (7) days after the notice is filed or within such further period as the court below may allow.
- (2) The applicant shall within two (2) days of service of such notice file an affidavit of service.
 - (3) The proper officer shall give all parties at least fourteen (14) days' notice of the date and time fixed for hearing of the application.
 - (4) Any affidavit or other document which a respondent wishes to use in opposition to an application shall be filed and served by him on the applicant within fourteen (14) days of service on him of the application for leave to appeal.
 - (5) Every document prepared for use at the hearing shall comply with rule 5.4 as if the document had been prepared for use or been filed in the Court.
 - (6) If an applicant wishes to withdraw his application to the court below for leave to appeal, rule 9.10 shall apply with the substitution of “the proper officer” for “the Registrar” and “the court below” for “the Court”.

Grant of leave to appeal by the court below

- 10.5** (1) In making an order granting leave to appeal, the court below shall indicate

under what constitutional or statutory provision such leave is granted.

- (2) Where an order is made granting leave to appeal subject to conditions, the leave so granted may only be relied upon when the proper officer has issued a certificate of compliance pursuant to rule 10.9.

Conditions for leave in non-criminal appeals

- 10.6** (1) This rule applies only to proceedings that are not criminal in nature.
- (2) Where the court below makes an order granting leave to appeal it shall, subject to rule 10.17(3), require the applicant to satisfy the following two conditions:
 - (a) that the applicant within a period not exceeding ninety (90) days provide security for costs which the applicant may become liable or be ordered to pay in an amount not exceeding that specified in Schedule 5, and
 - (b) that the applicant provide to the proper officer within a period not exceeding 90 days, a list of the documents which he proposes should be included in the record of appeal.
 - (3) Where the court below grants leave to appeal in a case where the appeal is not as of right, it may in addition to the conditions mentioned in sub-rule (2) impose such other conditions as the justice of the case may require.

Manner and form of security

- 10.7** A person may provide security for costs by a deposit of money or a banker's guarantee or by such other means as the court below may approve.

Stay of execution

- 10.8** (1) Where the judgment appealed from requires the applicant to pay money or do any act, the court below may when granting leave to appeal,
 - (a) direct that the judgment be carried into execution,
 - (b) order that any liquidated sum payable under the judgment be paid into court and invested by the proper officer in an interest bearing account pending the determination of the appeal, or
 - (c) stay execution of the whole or part of the judgment pending appeal.
- (2) Where the court below directs that the judgment be carried into execution, the person in whose favour the judgment was given shall prior to execution provide sufficient security to the court's satisfaction for the due performance of such order as the Court may make.

Issue of certificate of compliance

- 10.9** (1) Where the intended appellant has complied with the conditions on which

leave to appeal was granted by the court below, the proper officer shall forthwith issue a certificate of compliance in conformity with Form 2A in Schedule 3.

- (2) Within seven (7) days of the issue of the certificate of compliance the proper officer shall serve copies of the certificate on the intended appellant and the respondent.

Issue of certificate of non-compliance

- 10.10** (1) Where the intended appellant has not complied with the conditions on which leave to appeal was granted, the proper officer shall promptly issue a certificate of non-compliance in conformity with Form 2B in Schedule 3.
- (2) Within seven (7) days after issue of the certificate of non-compliance the proper officer shall serve copies of the certificate on the intended appellant and the respondent.
 - (3) On an application made by the intended appellant within seven (7) days of the service upon him of a certificate of non-compliance, the court below may if satisfied that the certificate of non-compliance was wrongly issued by the proper officer, make an order setting aside that certificate and directing the proper officer to issue in its place a certificate of compliance.
 - (4) Where a certificate of non-compliance is issued and no application to set it aside is made within seven (7) days of it being served on the intended appellant or such an application having been made is dismissed, the leave to appeal granted shall be deemed to have been rescinded and the respondent shall be entitled without further order to have his costs taxed and paid by the intended appellant.

Substitution of parties before notice of appeal filed

- 10.11** Where a party to an application for leave to appeal dies or changes status after the application was made but before a notice of appeal is filed, the court below may upon application by a party or an interested person substitute or add the person considered by it to be the proper person to be substituted or entered on the record in lieu of, or in addition to, the party who died or whose status has changed.

Special leave to appeal to the Court

- 10.12** An application for special leave to appeal may be made to the Court in writing within forty-two (42) days of the date of the judgment from which special leave to appeal is sought, or in cases in which leave to appeal has been sought from the court below, within twenty-one (21) days of the refusal or rescission of such leave.

Applications to the Court for special leave to appeal

- 10.13** The application for special leave to appeal shall-
- (a) set out the grounds of appeal which it is proposed to argue;
 - (b) state succinctly all such facts as may be necessary in order to enable the Court to determine whether special leave ought to be granted, and
 - (c) be signed by the applicant or his attorney-at-law.

Filing and service of documents in connection with applications for special leave

- 10.14** (1) An applicant for special leave to appeal shall file for the use of the Court-
- (a) six (6) copies of the application and of the judgment from which special leave to appeal is sought, and
 - (b) an affidavit in support of the application.
- (2) The applicant shall serve his application and supporting affidavit upon the respondent within seven (7) days after the application is filed or within such other period as the Court may allow; and within two (2) days of such service, file an affidavit of service.
- (3) The Registrar shall give the parties at least fourteen (14) days' notice of the date and time fixed for the hearing.
- (4) Any affidavit in opposition shall be filed and served by the respondent on the applicant within fourteen (14) days of service upon him of the application for special leave.

Orders on applications for special leave

- 10.15** Where the Court grants special leave to appeal, it may impose such conditions and make such orders and give such directions as it considers necessary or expedient.

Liaison between proper officer and the Registrar of the Court

- 10.16** (1) When leave to appeal has been granted by the court below, the proper officer shall within seven (7) days of the order being entered, send a copy of it to the Registrar.
- (2) When special leave has been granted by the Court under rule 10.15, the Registrar shall within seven (7) days of the order being entered send a copy of it to the proper officer.

Applications for leave to appeal or defend an appeal as a poor person

- 10.17** (1) An applicant who wishes to obtain leave to appeal as a poor person shall file an application for such leave together with his application to the court below for leave to appeal or with his application to the Court for special leave to appeal as the case may be, and shall be required to satisfy the court to which he applies, by affidavit or otherwise, that

- (a) (i) apart from his interest in the subject-matter of the appeal, his net worth is less than the amount specified in Schedule 4, and
 - (ii) he is unable to provide sureties,and
 - (b) he has an arguable ground of appeal.
- (2) A respondent who wishes to obtain leave to defend an appeal as a poor person shall apply for such leave to the court below if application for leave to appeal is made to that court or to the Court if special leave to appeal is applied for, and shall be required to satisfy the court to which he applies that his net worth apart from his interest in the matter in dispute is less than the amount specified in Schedule 4.
- (3) A party to whom leave has been granted to appeal or to defend an appeal as a poor person, shall not be required to provide security for costs or to pay any Court fees”

SECOND SCHEDULE

“PART 13

RECORD OF APPEAL

Contents of this Part

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Action on receipt of notice of appeal

- 13.1** (1) As soon as is practicable after a notice of appeal has been filed and served, the proper officer shall proceed to settle the record of appeal in consultation with the appellant and any respondent who has filed an acknowledgement of service or their respective attorneys-at-law.
- (2) The proper officer shall certify the list of documents to be included in the record of appeal.
- (3) The following documents shall be included in the record –
- (a) the notice of appeal and any notice of cross-appeal that has been served on the appellant;
 - (b) the order granting leave or special leave to appeal, as the case may be;
 - (c) the certificate of compliance in cases in which leave to appeal was granted by the court below;
 - (d) the judgment of the court below;
 - (e) the notice of appeal to the court below and any notice of cross-appeal;
 - (f) the judgment of the court of first instance;
 - (g) the writ, motion, petition, summons, indictment or other process by which the proceedings were initiated;
 - (h) in civil cases, all pleadings delivered;
 - (i) in criminal cases, the judge’s summing-up;
 - (j) any written submissions made to the court below that are relevant to any issue to be decided by the Court, and
 - (k) an index to the record.
- (4) The only other documents which shall be included in the record are those which will be helpful to the Court in disposing of the appeal, given the

issues raised by the notice of appeal and any notice of cross appeal, and the parties shall co-operate with the proper officer in limiting as far as possible the size of the record.

- (5) Where a party objects to the inclusion of a document and another party nevertheless insists upon its inclusion, the document shall be included and the index shall include an indication of the objection to its inclusion and the party who made it.
- (6) Once the proper officer has certified the list of documents to be included in the record pursuant to sub-rule (2), the appellant shall within fourteen (14) days thereafter submit to the proper officer a record compiled in accordance with the certificate of the proper officer and these Rules.
- (7) If the judgment of the court below or any other document to be included in the record as settled is not available, the proper officer may dispense with its inclusion in the record, subject to the appellant undertaking to provide the judgment or such other document for inclusion in a supplemental record as soon as the same becomes available.
- (8) The proper officer shall certify one copy of the record to be correct, and having affixed thereto the seal of the court below shall at the expense of the appellant transmit it to the Registrar in a sealed container.
- (9) The proper officer shall deal with any supplemental record submitted by an appellant in the manner prescribed by sub-rule (8).
- (10) The proper officer shall cause to be remedied any defects in the record which the Registrar may draw to the attention of the proper officer.

Entitlement to copies of record

- 13.2** (1) The appellant shall bear the cost of producing:
- (a) seven (7) copies of the record for the use of the Court;
 - (b) one (1) copy of the record for the respondent, and
 - (c) all copies of the record requested by him
- (2) The respondent may request from the Registrar additional copies of the record but these shall be prepared at his expense.
 - (3) The appellant shall inform the Registrar of the number of copies of the record that he requires.
 - (4) The Registrar shall notify each party of the amount payable by him in respect of the copies produced at his expense.
 - (5) Payment for copies of the record shall be made by the parties to the

proper officer or the Registrar within seven (7) days of their being notified of the amounts payable by them respectively.

- (6) The proper officer shall transmit all such payments received by him to the Registrar.

Failure to make payment for copies

13.3 Failure by the appellant to make payment in accordance with rule 13.2(5) shall render the appeal liable to be struck out.

Reproduction of the record

- 13.4** (1) The Registrar shall within thirty (30) days after receipt of payment from the appellant -
- (a) reproduce and bind the record in the requisite number of copies, and
 - (b)
 - (i) deliver to each party the appropriate number of copies of the record for which payment has been received, or
 - (ii) in the case of a party whose address for service is not in the Contracting Party in which the Seat of the Court is located, transmit to the proper officer as many copies as are required for delivery to such party.
- (2) The proper officer shall within seven (7) days of receiving the copies transmitted by the Registrar deliver them to the parties for whom they are intended.

Special case

- 13.5** (1) Whenever a decision of a matter on appeal is likely to turn exclusively on a question of law, the Registrar may at the request of the parties submit such a question to the Court in the form of a special case and reproduce such parts only of the record as may be necessary to enable the question to be argued.
- (2) Nothing contained in sub-rule (1) shall prevent the Court from ordering full argument on the whole case, if it thinks fit.”

THIRD SCHEDULE

“SCHEDULE 1

FEES PAYABLE TO THE COURT

The fees set out in this Schedule may be paid to the Court in any one of the currencies stated below.

If paid in ECD the amounts set out in column 2 shall be payable to the Registrar for the items set out in column 1.

If paid in TTD the amounts set out in column 3 shall be payable to the Registrar for the items set out in column 1.

If paid in USD the amounts set out in column 4 shall be payable to the Registrar for the items set out in column 1.

Notwithstanding the above no fee shall be payable in a criminal appeal.

FILING FEES	ECD	TTD	USD
Acknowledgement of service [for each respondent]	27	63	10
Notice of appeal	162	378	60
Notice of cross appeal	108	252	40
Amended notice of appeal	41	95	15
Special case	135	315	50
Notice of application for special leave to appeal	81	189	30
Any other notice of application	41	95	15
Affidavit of service	27	63	10
Notice of appointment of attorney-at-law	27	63	10
Order determining appeal	108	252	40
Interlocutory order	54	126	20
Notice of withdrawal of appeal	54	126	20
Request for the issue of a costs certificate	54	126	20
Default costs certificate	54	126	20
Final costs certificate	54	126	20
Bill of costs	162	378	60
Any other document not provided for	41	95	15

OTHER FEES	ECD	TTD	USD
On every inspection of the register	54	126	20
On certifying any document as an office copy	54	126	20
On every certificate of funds in Court	41	95	15

For a photographic copy of all or any part of a document whether or not issued as an office copy—for each page	3	6	1
On perusing and allowing by a Judge, Registrar or Deputy Registrar of any bond	270	630	100

SCHEDULE 2

FEES PAYABLE TO A PARTY

PART A

FEES PAYABLE TO A PARTY IN AN APPEAL FROM THE COURT OF APPEAL OF BARBADOS

Table of Basic Costs

	Barbados dollars
In the case of an appellant, from the notice of appeal up to and including the first day of hearing	40,000
plus – for each additional day of the hearing	4,000
In the case of a respondent who has filed a notice of cross appeal from the notice of appeal up to and including the first day of hearing	30,000
plus -- for each additional day of the hearing	4,000
In the case of any other respondent from the notice of appeal up to and including the first day of hearing	24,000
plus – for each additional day of the hearing	4,000
In the case of an appellant when two attorneys-at-law appeared, from the notice of appeal up to and including the first day of hearing	60,000
plus – for each additional day of the hearing	8,000
In the case of a respondent who filed a notice of cross appeal, when two attorneys-at-law appeared, from the notice of appeal up to and including the first day of hearing	45,000
plus – for each additional day of the hearing	8,000
In the case of any other respondent when two attorneys-at-law appeared, from the notice of appeal up to and including the first day of hearing	36,000
plus – for each additional day of the hearing	8,000

For appearance in Court on application for special leave to appeal	4,000
For appearance in Court at case management conference	2,400
For an appearance in Court on any other application	2,000
For an appearance in Court where appeal adjourned without a hearing on the application of the other party or on the Court's own motion	1,000
For an appearance in Court where application adjourned without a hearing	900
For attendance before the Registrar on an application	1,000
For preparing costs certificate	200
For delivery of reserved judgment	2,400
From issue of notice of appeal to withdrawal of appeal after service of notice of appeal	2,000
From issue of notice of appeal to withdrawal of appeal before service of notice of appeal	1,400

PART B

FEES PAYABLE TO A PARTY IN AN APPEAL FROM THE COURT OF APPEAL OF THE CO-OPERATIVE REPUBLIC OF GUYANA

Table of Basic Costs

	Guyana dollars
In the case of an appellant, from the notice of appeal up to and including the first day of hearing	1,795,000
plus – for each additional day of the hearing	269,250
In the case of a respondent who has filed a notice of cross appeal from the notice of appeal up to and including the first day of hearing	1,346,250
plus - for each additional day of the hearing	269,250
In the case of any other respondent from the notice of appeal up to and including the first day of hearing	897,500
plus – for each additional day of the hearing	269,250
In the case of an appellant when two attorneys-at-law appeared, from the notice of appeal up to and including the first day of hearing	2,692,500
plus – for each additional day of the hearing	448,750
In the case of a respondent who filed a notice of cross appeal, when two attorneys-at-law appeared, from the notice of appeal up to and including the first day of hearing	2,154,000

plus – for each additional day of the hearing	448,750
In the case of any other respondent when two attorneys-at-law appeared, from the notice of appeal up to and including the first day of hearing	1,705,250
plus – for each additional day of the hearing	448,750
For appearance in Court on application for special leave to appeal	179,500
For appearance in Court at case management conference	125,650
For an appearance in Court on any other application	89,750
For an appearance in Court where appeal adjourned without a hearing on the application of the other party or on the Court’s own motion	89,750
For an appearance in Court where application adjourned without a hearing	80,775
For attendance before the Registrar on an application	89,750
For preparing costs certificate	17,950
For delivery of reserved judgment	143,600
From issue of notice of appeal to withdrawal of appeal after service of notice of appeal	179,500
From issue of notice of appeal to withdrawal of appeal before service of notice of appeal	125,650

SCHEDULE 3

FORMS

Form 1 Notice of Application	Rule 9.1
Form 2 Notice of Appeal	Rule 11.1
Form 2 A Certificate of Compliance	Rule 10.9
Form 2 B Certificate of Non-Compliance	Rule 10.10
Form 3 Acknowledgement of Service	Rule 12.1
Form 4 Default Costs Certificate	Rule 18.24
Form 5 Interim Costs Certificate	Rule 18.27
Form 6 Final Costs Certificate	Rule 18.28

FORM 1: Notice of Application Rule 9.1(1)

Filing Attorney: (Name of Attorney)(Bar no.)
(Name of firm, if any)
(Address)
(tel no., fax no., email address, if any)

Advocate: (Name of advocate) (Bar no.)
(tel no., fax no., email address, if any)

**IN THE CARIBBEAN COURT OF JUSTICE
Appellate Jurisdiction**

ON APPEAL FROM THE COURT OF APPEAL OF

CCJ [Appeal or Application] No. of 20

Between

AB INTENDED APPLICANT

And

CD INTENDED RESPONDENT

Notice of Application

The Intended Appellant/ Applicant applies to the Court for an order that-

A draft of the order that I seek is attached.

The grounds of the application are-

- 1.
- 2.

Dated the day of 20

Signature

.....
Attorney-at-law for the Applicant

This notice of application was filed [*in the sub-Registry/ Registry,*] by [state attorney-at-law's name, his firm (if any) and his business address or that of his firm], Attorney(s)-at-law for the Intended Appellant/Applicant whose address for service is (state an address in the Seat of the Court or in the Contracting Party where the appeal originates). Service may also be effected by facsimile transmission to facsimile number xxxxxx or by e-mail to zzzzzzz [or by facsimile transmission or e-mail to the number and address of the filing attorney-at-law stated above].

N.B. This notice of application must be served on the Respondent to the application

within seven days of the date of filing of this notice or within such other period as may be specified.

If you the Respondent do not attend this hearing an order may be made in your absence.

To: The Registrar of the CCJ

And To: The Respondent
Address

(OR To: XXXXXXXX
Attorney-at-law for the Respondent
Address)

The Registry is located at
134 Henry Street
Port of Spain,
Republic of Trinidad and Tobago.

TELEPHONE Voice: 868-623-2225, 624-2256. Facsimile: 868-623-0527.

The Registry is open between 8:00 a.m. and 4:00 p.m. Mondays to Fridays except Public Holidays and Court Holidays.

FORM 2 Notice of Appeal Rule 11.1

Filing Attorney: (Name of Attorney)(Bar no.)
(Name of firm, if any)
(Address)
(tel no., fax no., email address, if any)

Advocate: (Name of advocate) (Bar no.)
(tel no, fax no., email address, if any)

**IN THE CARIBBEAN COURT OF JUSTICE
Appellate Jurisdiction**

ON APPEAL FROM THE COURT OF APPEAL OF

CCJ Appeal No. of 20

Between

AB APPELLANT

And

CD RESPONDENT

Notice of Appeal

TAKE NOTICE that the appellant hereby appeals to the Caribbean Court of Justice against the judgment of the Court of Appeal of..... delivered on theday of20.. . A true copy of the said judgment is attached hereto [together with a copy of the order of the Court of Appeal of dated granting leave to appeal and a copy of the certificate of compliance dated the **or** together with a copy of the order of the Caribbean Court of Justice dated 20... granting special leave to appeal].

1. The details of the order appealed against are:
(State whether the appeal relates to the whole or part only of the judgment of the court below and in the latter case, specifying such part)
2. The grounds of appeal are:
(a)
(b)
(c)
3. The relief sought is:
4. The details of all parties directly affected by the appeal are:

Name of party affected *Address for service of party affected*

Dated the day of 20

Signature

.....
Name of Appellant or Attorney-at-law for the Appellant

This notice of appeal was filed [*in the sub-Registry/ Registry,*] by [state attorney-at-law's name, his firm (if any) and his business address or that of his firm], Attorney(s)-at-law for the Appellant whose address for service is [state an address in the Seat of the Court or in the Contracting Party where the appeal originates]. Service may also be effected by facsimile transmission to facsimile number xxxxxx or by e-mail to zzzzzzz [or by facsimile transmission or e-mail to the number or address of the filing attorney-at-law stated above].

To: The Registrar of the Caribbean Court of Justice

And To: The Respondent
[here state the address for service of the Respondent in the court below]

NOTICE TO THE RESPONDENT

The Respondent must file an acknowledgement of service of the notice of appeal within 14 days of being served (rule 12.1) and in default, he cannot take further steps without the leave of the Court (rule 12.2).

The Registry is located at
134, Henry Street
Port of Spain,
Republic of Trinidad and Tobago.

Telephone Voice: 868-623-2225, 624-2256. Facsimile: 868-623-0527.

The Registry is open between 8:00 a.m. and 4:00 p.m. Mondays to Fridays except Public Holidays and Court Holidays.

[Heading of Matter]

[No. of Matter]

Between

AB

Intended Appellant

And

CD

Intended Respondent

CERTIFICATE OF COMPLIANCE

WHEREAS by an order of the Court of Appeal made on the day of, ('the said order'), the Intended Appellant was granted leave to appeal to the Caribbean Court of Justice against the judgment or order of the Court of Appeal dated the day of, 20 , on condition that-

- (a) he provide within days security for costs in the sum of \$..... , and
- (b) he provide to the Registrar within days a list of the documents which he proposes should be included in the record of appeal

AND WHEREAS the Intended Appellant has provided security for costs and a list of documents in accordance with the said order

I HEREBY CERTIFY that the Intended Appellant has complied with the conditions on which he was granted leave to appeal to the Caribbean Court of Justice.

Dated this day of 20

Signature

.....
Registrar of the Supreme Court

To: The Registrar of the CCJ

To: The Intended Appellant
[here state the address for service of the Appellant]

To: The Intended Respondent
[here state the address for service of the Respondent]

[Heading of Matter]

[No. of Matter]

Between

AB

Intended Appellant

And

CD

Intended Respondent

CERTIFICATE OF NON-COMPLIANCE

WHEREAS by an order of the Court of Appeal made on the day of, ('the said order'), the Intended Appellant was granted leave to appeal to the Caribbean Court of Justice against the judgment or order of the Court of Appeal dated the day of 20.., on condition that-

- (c) he provide within days security for costs in the sum of \$....., and
- (d) he provide to the Registrar within days a list of the documents which he proposes should be included in the record of appeal

AND WHEREAS the Intended Appellant has not within the time prescribed provided the said security for costs/the said list of documents/either the said security for costs or the said list of documents [as the case may be]

I HEREBY CERTIFY that the Intended Appellant has failed to comply with the conditions on which he was granted leave to appeal to the Caribbean Court of Justice.

Dated this day of 20.....

Signature

.....
Registrar of the Supreme Court

To: The Registrar of the CCJ

To: The Intended Appellant
[here state the address for service of the Appellant]

To: The Intended Respondent
[here state the address for service of the Respondent]

FOURTH SCHEDULE

“SCHEDULE 4

NET WORTH QUALIFICATION FOR LEAVE TO APPEAL AS A POOR PERSON

COUNTRY	MAXIMUM NET WORTH
Antigua and Barbuda	EC\$
Barbados	BB\$10,000.00
Belize	BZ\$
Dominica	EC\$
Grenada	EC\$
Guyana	GY\$250,000.00
Jamaica	JM\$
St. Kitts and Nevis	EC\$
Saint Lucia	EC\$
St. Vincent and the Grenadines	EC\$
Suriname	SR\$
Trinidad and Tobago	TT\$

SCHEDULE 5

LIMIT ON SECURITY FOR COSTS

In appeals emanating from a country listed in the first column, the maximum amount of security for costs that a party may be ordered to provide, is the amount shown for that country in the second column.

COUNTRY	AMOUNT OF SECURITY
Antigua and Barbuda	EC\$
Barbados	BB\$ 15,000.00
Belize	BZ\$
Dominica	EC\$
Grenada	EC\$
Guyana	GY\$1,000,000.00
Jamaica	JM\$
St. Kitts and Nevis	EC\$
Saint Lucia	EC\$
St. Vincent and the Grenadines	EC\$
Suriname	SR\$
Trinidad and Tobago	TT\$ ”