

THE OFFICIAL GAZETTE 10TH NOVEMBER, 2018

LEGAL SUPPLEMENT — B

GUYANA

No. 1 of 2018

PRACTICE DIRECTION

Made Under

THE CIVIL PROCEDURE RULES OF THE HIGH COURT OF THE SUPREME COURT OF JUDICATURE (No. 2 of 2016)

IN EXERCISE OF THE POWERS CONFERRED UPON ME BY RULES 2.04(1) AND 8.01(2)(b) OF THE CIVIL PROCEDURE RULES OF THE HIGH COURT OF THE SUPREME COURT OF JUDICATURE, I MAKE THE FOLLOWING PRACTICE DIRECTION:-

1. Citation

This Practice Direction may be cited as the Fixed Date Matters Practice Direction 2018.

2. Introduction

This Practice Direction adds to Rule 8.01(2) matters that must be commenced by Fixed Date Applications.


3. Fixed Date Matters

A proceeding on any of the following matters must be commenced by Fixed Date Application –

- (a) where the applicant seeks to recover a debt or liquidated demand in money payable by the respondent, with or without interest, or with or without an application for a declaration that an opposition is just, legal and well founded, and for an injunction restraining the passing of a transport, mortgage or lease or of a surrender, transfer or assignment of a lease arising –
 - (i) upon a contract, express or implied, (as, for instance, on a bill of exchange, promissory note or cheque, or other simple contract debt);
 - (ii) on a bond or contract under seal for payment of a liquidated amount of money;
 - (iii) on a written law where the sum sought to be recovered is a fixed sum of money, or in the nature of a debt other than a penalty;
 - (iv) on a guarantee, whether under seal or not, where the claim against the principal is in respect of a debt or liquidated demand; or

- (v) on a trust;
- (b) where the applicant seeks to recover possession of a specific chattel or its value, with or without an application for –
 - (i) the hire of the chattel; or
 - (ii) damages for its detention;
- (c) where the applicant claims for possession of any property forming a security for the payment of money;
- (d) where the applicant seeks to recover any money due on a mortgage with or without an application for the foreclosure of the mortgage according to the terms of the mortgage;
- (e) where the applicant seeks to enforce an opposition to the passing of a transport, mortgage or lease or of a surrender, transfer or assignment of a lease, with or without any other application;
- (f) where the applicant seeks to recover possession of land or a building or any part of land or a building or damages for trespass to land or a building, with or without an application for –
 - (i) a declaration;
 - (ii) an injunction;
 - (iii) mesne profits; or
 - (iv) damages;
- (g) where the applicant seeks to enforce specifically a contract in writing or an oral contract which has been part performed for the sale or purchase of property; or
- (h) in claims arising out of hire-purchase or credit sale agreements.

Made this 31st day of October 2018.


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Yonette Cummings-Edwards
Chancellor of the Judiciary (ag)

GUYANA

No. 2 of 2018

PRACTICE DIRECTION**Made Under****THE CIVIL PROCEDURE RULES
OF THE HIGH COURT OF THE SUPREME COURT OF JUDICATURE
(No. 2 of 2016)**

IN EXERCISE OF THE POWERS CONFERRED UPON ME BY RULES 2.04(1) AND 4.01(3) OF THE CIVIL PROCEDURE RULES OF THE HIGH COURT OF THE SUPREME COURT OF JUDICATURE, I MAKE THE FOLLOWING PRACTICE DIRECTION:-

1. Citation

This Practice Direction may be cited as the Form of Documents (Left Margin) Practice Direction 2018.

2. Introduction

(1) Rule 4:01(1)(a) provides that so far as practicable, any document prepared for use in or filed with the Court must have 1 inch margins on all sides.


(2) The 1 inch margin on the left side of documents is insufficient as when the documents are bound words to the left are caught in the binding and cannot be read.

(3) This Practice Direction adds a further one inch to the left margin.

3. Form of Documents (Left Margin)

Notwithstanding the requirement under rule 4.01(1)(a) for 1 inch margins on all sides of a document prepared for use in or filed with the Court, the margin on the left side of the document must, so far as practicable, be 2 inches.

Made this 31st day of October 2018.


Yonette Cummings-Edwards
Chancellor of the Judiciary (ag)