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WEDNESDAY 3RD JUNE, 2020

THE OFFICIAL GAZETTE 3RD JUNE, 2020

LEGAL SUPPLEMENT — B

SUPREME COURT OF JUDICATURE PRACTICE DIRECTIONS

SECOND COVID-19 EMERGENCY DIRECTIONS 2020

1. These Practice Directions are in relation to the COVID-19 pandemic and are in addition to the Supreme Court of Judicature Practice Directions COVID-19 Emergency Directions Gazetted on 23rd March, 2020 and updated by Notices on 3rd April, 2020, 5th April, 2020 and 23rd April, 2020.
2. The following measures outlined herein shall take effect from 25th May, 2020 and last for one month (the one-month period), unless revoked or extended by notice after an assessment of the prevailing public health conditions.

COURT SITTINGS

3. All 'in person' hearings shall continue to be suspended during the one-month period.
4. Sittings of the courts shall continue to be conducted remotely.
5. Court shall include any place, whether or not at a designated court house, where a Judge or Magistrate elects to sit to conduct the business of the court.
6. All time sensitive filings pursuant to Rules of Court or Orders of Court are suspended during the one-month period.
7. Affidavits in support of applications must be sworn to and subscribed as required by law. Exhibits to affidavits must be similarly marked as required.

STATUTE OF LIMITATIONS and TIMEBOUND FILINGS

8. (1) Where a matter is due to become statute barred under the Limitation Act, Chapter 7:02 or any other legislation during the one-month period when the Practice Directions are in force, it may be filed at the Registries when open or by electronic means notwithstanding it is not urgent. The matter must be accompanied with an affidavit explaining the circumstances.
- (2) Where appeals are required to be filed pursuant to Rules of Court such appeals can be filed notwithstanding that they are not urgent matters.

HEARINGS

COURT OF APPEAL

9. All in-person hearings for Chamber and Full Bench matters continue to be suspended during the one-month period.
10. Hearings of all matters will be conducted remotely.
11. Where 'in-person' hearing is deemed necessary, all health and safety measures outlined herein must be strictly observed.
12. Where hearings are to be conducted remotely, attorneys-at-law must file and exchange written submissions within four (4) days of the date set for hearing or within such time as may be ordered by the Court.

HIGH COURT

Civil Trials

13. In-person hearings continue to be suspended, subject to the decision of the hearing Judge. All pending civil matters in the High Courts in Essequibo, Demerara and Berbice will be case managed and heard as the trial judges deems fit.
14. In-person hearings may resume during this one-month period subject to an assessment of the prevailing public health conditions and the observance of health and safety measures outlined herein.
15. Urgent matters and other matters deemed fit for hearing by the Court will be heard during the one-month period.
16. Where 'in-person' trials or urgent hearings are considered necessary, these will be curtailed to the minimum period of time necessary. Written submissions, speaking points and addresses as directed by the Judge, must be submitted to the Court before the hearing date. The hearing Judge will determine the duration of the trial or hearing.
17. Hearings will be conducted where possible by electronic means. Emails, telephone conference calls, and videoconferencing platforms will be utilised to minimise 'in-person' attendance at Court.

18. Where a matter is deemed urgent and necessary to be conducted by ‘in-person’ hearing during the one-month period, all health and safety measures as outlined herein must be strictly observed.
19. Where parties have arrived at a settlement, whether through mediation or otherwise, and may wish to have judgment entered during this period, application may be made to the hearing judge for the terms of settlement to be reviewed and made an order of court.

Criminal Trials (Assizes)

20. The January, 2020 Session of the Demerara Assizes is extended until the completion of the pending criminal trial.
21. The May, 2020 Session of the Essequibo Criminal Assizes is open.
22. The June, 2020 Session of the Demerara Criminal Assizes is open.
23. The June, 2020 Session of the Berbice Criminal Assizes will be opened on 16th June, 2020.
24. With the exception of the pending trial in the Demerara Assizes, jury trials continue to be suspended during these Sessions until further notice.
25. Notwithstanding the suspension of jury trials, where a prisoner indicates an intention to plead guilty, such plea will be taken in these Sessions and dealt with according to law.
26. Jurors summoned for the Demerara, Berbice and Essequibo Assizes are not required to attend Court until notified by the Registrar of the Supreme Court.

MAGISTRATES’ COURTS

27. Magistrates will continue to operate on a roster basis, sitting each day on which the court district offices are open. Magistrates will be on call on the days these offices are closed.
28. Sittings of the magistrates’ courts will utilise electronic means as far as possible.
29. Remands, further remands, trials of persons in custody and preliminary inquiries for prisoners on remand and other matters deemed urgent and fit for hearing, will be conducted via telephone conferencing or electronic means utilising videoconferencing platforms.
30. All Coroners Inquests will remain suspended for the period. This will be subject to review at the end of the one-month period on the basis of the prevailing public health guidelines.
31. Where it is necessary for ‘in-person’ hearings to be conducted, all health and safety measures as outlined herein must be strictly observed.

Operation of the Magistrates' Courts Offices during the period May 25 – June 24, 2020

32. Magistrates' courts offices will be open to the public on the following days from 8.30 am to 12.30 pm.

DISTRICT	DAYS	Telephone #
Georgetown Magisterial District GMC	Mondays, Wednesdays, Thursdays & Fridays	225-9110
Diamond/Golden Grove	Mondays, Tuesdays & Wednesdays	216-0483
Berbice Magisterial District New Amsterdam	Mondays, Tuesdays & Thursdays	333-2834
Corentyne Magisterial District Whim	Mondays, Wednesdays & Thursdays	337-2679 337-2648
West Berbice Magisterial District Fort Wellington	Mondays, Wednesdays & Fridays	232-0600 232-0512
East Demerara Magisterial District Vigilance	Mondays, Tuesdays & Fridays	274-0690
West Demerara Magisterial District Vreed-en-hoop	Mondays, Thursdays & Fridays	264-2359
Upper Demerara River Magisterial District Linden	Mondays, Wednesdays & Fridays	442-1402
Essequibo Magisterial District	Mondays, Wednesdays &	774-4312

Suddie	Fridays	774-4373
Rupununi Magisterial District Lethem	Mondays, Wednesdays & Thursdays	772-2334

33. Filing of all urgent matters or other matters deemed fit for hearing must be on the dates the court offices are open.

34. Where urgent matters or other matters deemed fit for hearing are required to be filed on the days when the court offices are not open, contact can be made with the Clerks of Court for the relevant magisterial districts for the matters to be filed.

35. **Contact can be made to the Clerks of Court at the following addresses:**

1. **Georgetown Magisterial District**
Georgetown Magistrates Court – magisdistrifcegeorgetown@gmail.com
Diamond/Golden Grove – magisdistrifcediamondgrove@gmail.com
2. **Berbice Magisterial District**
New Amsterdam – magisdistrifcenenewamsterdam@gmail.com
3. **Corentyne Magisterial District**
Whim – magisdistrifcewhim@gmail.com
4. **West Berbice Magisterial District**
Fort Wellington – magisdistrifcefortwellington@gmail.com
5. **East Demerara Magisterial District**
Vigilance – magisdistrifcevigilance@gmail.com
6. **West Demerara Magisterial District**
Vreed-en-hoop – magisdistrifcevreedenhoop@gmail.com
7. **Upper Demerara River Magisterial District**
Linden – magisdistrifcelinden@gmail.com
8. **Essequibo Magisterial District**
Suddie – magisdistrifcesuddie@gmail.com
9. **Rupununi Magisterial District**
Lethem – magisdistrifcelethem@gmail.com

36. Notices with contact information can also be found at each magistrates' courts district office.

URGENT MATTERS AND APPLICATIONS DEEMED FIT FOR HEARING

37. The following matters are deemed to be urgent and fit for hearing for purposes of applications pursuant to these Practice Directions:

- (a) custody applications;
- (b) matters related to children
- (c) domestic violence and related matters;
- (d) maintenance applications;
- (e) *Habeas Corpus* applications;
- (f) applications for extension of time to detain persons;
- (g) matters related to the National and Regional Elections;
- (h) matters under the Public Health Ordinance, Cap. 145;
- (i) matters under the Interception of Communications Act, Cap 47:03;
- (j) bail applications;
- (k) injunctions;
- (l) applications for stay of execution;
- (m) applications for grants of probate and letters of administration;
- (n) applications for absolutes of divorce;
- (o) landlord and tenant cases;
- (p) guilty pleas in traffic cases;
- (q) curfew related charges; and
- (r) new charges in the magistrates' courts

38. In addition, the hearing Judge or Magistrate will determine whether a matter or application is urgent or deemed fit for hearing and requires a hearing during the one-month period.

39. Where cases or hearings have been adjourned but an urgent situation arises in a case, an application may be made to the Chief Justice or Chief Magistrate, as the case may be, for consideration of an earlier hearing.

40. An application must be accompanied by an affidavit setting out good and substantial reasons which require the matter to be heard.

SUPREME COURT REGISTRIES

41. The Supreme Court Registries will be open to the public on Tuesday and Thursday in the weeks commencing 25th May, 2020 and 1st June, 2020. Thereafter, the Registries will be open to the public on Tuesdays, Wednesdays and Thursdays. The hours of work are 8.30 am to 2.00 pm. The staff will be operating on a roster basis.
42. Attorneys-at-Law are encouraged to only file matters that are deemed urgent and deemed fit for hearing during the period.
43. Attorneys-at-Law, their clerks and other court users are advised to attend the Registry only where it is absolutely necessary.
44. Enquiries or queries are to be made by telephone call or via email to the addresses provided herein.
45. Filing of urgent matters or pleadings for the Court of Appeal and the High Court may be done by email or presentation of the hard copies to the relevant Registry. Where matters are filed by email attorneys-at-law must file the hard copy on the date required by the Registry. Where a matter is physically filed at a Registry, the matter must also be emailed to the relevant Registry.
46. Where filing is by email, the applicant must insert the names of the parties in the subject line and copy the email to all opposing attorneys-at-law, where known.
47. Where urgent matters or matters deemed fit for hearing are filed by email, litigants and/or attorneys-at-law must file an undertaking to present hard copies of their documents and pay the requisite filing fees on a date as directed by the Registry.
48. The attorneys-at-law will be sent by email the filing fees and an appointed time to attend at the Registry to produce the hard copy of the matter and pay the fees. Attorneys-at-Law must inform the Registrar by email if they cannot make the time appointed.
49. The email addresses to which matters and pleadings are to be filed or enquiries directed as the case may be are as follows:
 - a. Court of Appeal - courtofappealguyana@yahoo.com
 - b. Judicial Registry, High Court, Georgetown, Demerara - supremecourtguyana@gmail.com
 - c. Sub-Registry, New Amsterdam, Berbice High Court - subregistryberbice@gmail.com
 - d. Sub-Registry, Suddie, Essequibo High Court - subregessequibo@gmail.com

- e. Family Court Registry, High Court, Georgetown –
registryfamilycourt@gmail.com
- f. Land Court, High Court, Georgetown –
landcourtyi@yahoo.com
- g. Probate Registry, High Court, Georgetown –
probateregistrygy@gmail.com

50. Staff of the Registries continue to work remotely throughout the one-month period to provide services to attorneys-at-law, litigants and other court users.

HEALTH AND SAFETY MEASURES - ACCESS TO COURTS and COURT COMPOUNDS

51. Court users and members of the public must refrain from coming to any court unless specifically requested to do so by the court or their Attorney-at-Law.

52. The following health and safety guidelines must be observed:

- (i) All persons entering a court compound or a court will be required to:
 - a. wear a mask or face covering which covers the nose and mouth;
 - b. submit to temperature checks by the use of a handheld thermometer; and
 - c. sanitize their hands by using alcohol-based sanitizer or by handwashing at the sanitization stations at the entrance to the court compound or court.
- (ii) Any person who does not comply with the measures stated in paragraph (i) will not be permitted to enter a court compound or a court.
- (iii) Any person whose temperature exceeds 98.6° (37°) will not be permitted to enter a court compound or a court.
- (iv) Any persons displaying or having flu like symptoms, COVID-19 symptoms or who are caring for persons with such conditions, or persons who are in the high-risk or vulnerable category of persons must not to enter any court or court compound.
- (v) Where persons are found to display or have such symptoms after having entered a court compound or a court they will be required to leave immediately.
- (vi) All court users must at all times maintain social distancing by being at a distance of six (6) feet apart from another person. This applies to persons waiting to gain

entry to a court compound or court, and to persons who have been granted entry to a court compound or a court.

53. Entry to all Registries and magistrates' courts offices will be restricted. Signs with the maximum number of persons permitted to enter will be posted outside the various Registries and magistrates' courts offices.

GENERAL

54. Judges, Commissioners of Title, Magistrates and judicial officers may determine how judgments, decisions, rulings and orders may be delivered. These may be delivered by telephone, email, or other electronic means.
55. Attorneys-at-law and self-represented litigants need not attend court to request adjournments. Emails, letters or telephone calls can be utilised for this purpose.
56. Self-represented litigants who do not have access to electronic means, may attend court for information about their matters. These litigants must observe the health and safety measures.
57. Where the court has issued adjournments, the adjourned dates will be communicated to attorneys-at-law and self-represented litigants by email, telephone or other electronic means.
58. The service provided by the Family Court Registry to *pro se* or 'in-person' litigants continues to be suspended during the one-month period. A notice of the resumption of the service will be issued in a newspaper of general circulation by the Assistant Registrar of the Family Court or the Registrar of the Supreme Court.
59. Representatives of media outlets wishing to cover matters in court may contact the registrar of the Court and clerks of court to be accommodated. Remote hearing protocols will be issued with further guidance.
60. The health and safety guidelines outlined above apply to the media who may attend in person.


REVIEW AND CONTACT INFORMATION

61. These Practice Directions may be altered, where necessary, after periodic review and assessment of the evolving COVID-19 pandemic.
62. Clarifications, queries, additional information on sittings of the courts and contact can be made by telephone to:
- i. the Registrar of the Supreme Court – 227-1223
 - ii. the Clerk to the Honourable Chancellor – 225-7383
 - iii. the Principal Clerk of Court – 225-9127

OR by email to:

- ❖ Registrar of the Supreme Court - regsupct@gmail.com
- ❖ Deputy Registrar of the Supreme Court deputyregsupctgy@gmail.com
- ❖ Supreme Court COVID 19 Response Team - teamsupremecovid19response@gmail.com
- ❖ Chief Justice's Chambers - victorialawcourts@gmail.com
- ❖ Court of Appeal - courtofappealguyana@yahoo.com
- ❖ Principal Clerk of Court - magisdistrofficegeorgetown@gmail.com

Made this 3rd day of June, 2020.


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Yonette Cummings-Edwards, OR, CCH
Chancellor of the Judiciary (ag)