

CAYMAN ISLANDS



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**THE COURT OF APPEAL (AMENDMENT) LAW, 1984
(LAW 10 OF 1984)**

CAYMAN ISLANDS

Law 10 of 1984

I Assent

PETER LLOYD

Governor

9th July, 1984

**A LAW TO AMEND THE COURT OF APPEAL LAW
(LAW 9 OF 1975)**

ENACTED by the Legislature of the Cayman Islands.

Short title and
commencement.

1. This Law may be cited as the Court of Appeal (Amendment) Law, 1984 and shall come into force on the same day as section 5 of the Cayman Islands (Constitution) (Amendment) Order, 1984.

Amendment of section
2 of Law 9 of 1975.

2. Section 2 of the Court of Appeal Law, in this Law referred to as the principal Law, is amended by substituting the following for the definition of "Court" —

“ “Court” means the Court of Appeal of the Islands;”.

Insertion of new
sections 2A and 2B.

3. The principal Law is amended by inserting the following two new sections immediately after section 2 —

“Judges of the
Court.

2A. (1) The President shall be the senior Judge of the Court, and subject thereto the Judges shall hold seniority in the order of their appointments or, if two or more Judges are appointed on the same day, then in the order of their seniority of first appointment to high judicial office. In the absence of the President, the senior Judge present at any sitting of the Court shall preside at that sitting.

- (2) For the purpose of hearing and determining an appeal or any other matter, the Court shall be duly constituted if it consists of three Judges:

PROVIDED that if so prescribed by rules of court one Judge may hear and determine an interlocutory matter.

- (3) The determination of any matter before the Court shall be according to the opinion of the majority of the Judges hearing the matter.

- (4) Save as otherwise provided in this Law, all Judges shall have and enjoy in all respects equal power, authority and jurisdiction.

Registrar and other officers.

2B.(1) The Governor shall appoint a public officer to be the Registrar.

- (2) The Registrar shall take all necessary steps for obtaining a hearing under this Law of all appeals and applications made to the Court and shall obtain and lay before the Court in proper form all documents, exhibits and other things relating to the proceedings in respect of which the appeal or application has been brought and which appear necessary for the proper determination thereof by the Court.

- (3) The Registrar shall have such other power and authority and perform such other duties as are necessary for the due conduct and discharge of the business of the Court.

- (4) There shall be attached to the Court such other officers as may from time to time be required and as may be authorised by any law relating to the public services.”.

Amendment of section 10.

4. Section 10 of the principal Law is amended by inserting “the Registrar and”, immediately after “to” in the third line of subsection (1).

Amendment of section 11.

5. Section 11 of the principal Law is amended by adding the following new subsection —

Amendment of section 16.

“(3) The Court may at any time require production of the original notes of evidence.”.

6. Section 16 of the principal Law is amended by —

- (a) inserting “the Registrar and” immediately after “with” in the third line of subsection (1);
- (b) substituting “Registrar” for “Clerk of the Grand Court” in the fourth line of subsection (4);
- (c) substituting “Registrar” for “Clerk of the Grand Court” in the third line of subsection (5);
- (d) substituting “Registrar” for “Clerk of the Grand Court” in the first two lines of subsection (7).

Amendment of section 17.

7. Section 17 of the principal Law is amended by substituting “Registrar” for “Clerk of the Grand Court” in the third line of subsection (3).

Substitution of section 18.

8. Section 18 of the principal Law is substituted by the following —

“Transmission of documents in case of appeal. 18. The Clerk of the Grand Court shall transmit to the Registrar as soon as practicable four certified copies of the statement lodged in accordance with subsection (4) of section 16 and of the relevant notes of evidence of the Judge of the Grand Court and (in original) all the other proceedings in the cause.”.

Repeal of section 29.

9. Section 29 of the principal Law is repealed.

Passed the Legislative Assembly this 9th day of May, 1984.

PETER LLOYD
President.

WENDY LAUER
Acting Clerk of the Legislative Assembly.