

CAYMAN ISLANDS



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THE MATRIMONIAL CAUSES (AMENDMENT) RULES, 2009

MATRIMONIAL CAUSES LAW (2005 Revision)

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In exercise of the powers conferred upon the Grand Court by Section 4 of the Matrimonial Causes Law (2005 Revision), the following Rules are hereby made -

1. These Rules may be cited as the Matrimonial Causes (Amendment) Rules, 2009.
2. These Rules shall come into force on the 1st day of November 2009, referred to in these Rules as "the Commencement Date".
3. Rule 2 of the Matrimonial Causes Rules (2003 Revision) is amended by deleting the definition of "Registry" and substituting the following –

"Registry" means the Family Division Registry of the Court;
4. Rule 2 of the Matrimonial Causes Rules (2003 Revision) is amended by adding the following definition –

"family proceeding" has the meaning ascribed to it by GCR Order 1, rule 7;
5. Rule 3 of the Matrimonial Causes Rules (2003 Revision) is hereby revoked and replaced with the following –
 3. (1) The Registry is established under the supervision of the Court and the management of the Clerk and shall constitute the repository of all Court files and records relating to family proceedings, through which all family proceedings shall be processed.
 - (2) The Matrimonial Causes Registry (established in 1977 and continued pursuant to the Matrimonial Causes Rules (2003 Revision)) is deemed to have been merged into the Registry on the Commencement Date and shall continue as part of the Registry.
6. Rules 22 and 23 of the Matrimonial Causes Rules (2003 Revision) are hereby revoked and replaced with the following –
 22. GCR Orders 3 (Time), 4 (Assignment, Transfer and Consolidation of Proceedings), 5 (Mode of Beginning Proceedings), 38 Part II (Writs of Subpoena), 39 (Evidence by Deposition), 67 (Change of Attorney), 45-51 (enforcement) and 52 (Committal) shall apply to all proceedings under the Law.

23. (1) All proceedings governed by these rules shall be commenced in the Family Division of the Court and every proceeding pending on the Commencement Date shall be treated as having been transferred to the Family Division of the Court.
- (2) Unless these rules otherwise provide, applications in matrimonial proceedings shall be commenced by summons and made to a Judge of the Family Division of the Court sitting in chambers.

MADE by the Grand Court this 14th day of September 2009

The Honourable Anthony Smellie QC, Chief Justice

The Honourable Alexander Henderson, QC

The Honourable Charles Quin, QC

