

**THE CARIBBEAN COURT OF JUSTICE (ORIGINAL JURISDICTION) (AMENDMENT) RULES,  
2006**

1. These rules may be cited as the Caribbean Court of Justice (Original Jurisdiction) (Amendment) Rules, 2006 and shall come into force on the 14<sup>th</sup> July, 2006.
2. (1) The Caribbean Court of Justice (Original Jurisdiction) Rules 2006 are hereby amended as set out in the Schedule.  
(2) Column I of the Schedule sets out the rules amended, Column II of the Schedule describes the amendment of the rule and Column III of the Schedule sets out the rule as amended.

**Schedule**

Column I <i>The Rule</i>	Column II <i>Description of the Amendment</i>	Column III <i>The Rule as Amended</i>
2.2(1)	Delete the words “rule 11.4” and substitute the words “rule 10.4”.	2.2 (1) Except for the purpose of hearing interlocutory applications other than an application for special leave under rule 10.4 and for giving case management directions, the Court shall be constituted by not less than three Judges, being an uneven number.
26.5(3)	Delete the words “the party who intends to rely on that evidence files an expert report in respect of such evidence on the other party” and substitute the words “an expert report has been filed by the party intending to rely on the evidence and has been served on the other party.”	26.5 (3) The evidence of the expert witness shall not be admitted unless an expert report has been filed by the party intending to rely on the evidence and has been served on the other party.
27.10(3)	Delete the words “sub-rule (4) and substitute the words “sub-rule (1)”.	27.10 (3) A person who wilfully disobeys an order made against him under sub-rule (1) is liable to such sanction as the Court may determine in all the circumstances.
27.10(4)	Delete the words “sub-rule (4) and substitute the words “sub-rule (1)”.	27.10 (4) The Court may order the person against whom an order is made under sub-rule (1) to pay any cost resulting from - (a) the failure to attend before the examiner; (b) the refusal to be sworn or to affirm for the purposes of the examination, or (c) the improper refusal to answer any relevant question or to produce any document at the examination.
27.14(4)	Delete rule 27.14(4) and substitute the following: “(4) When an application is made for a letter of request to be issued, the party who seeks the order shall file - (a) the following documents: (i) a draft letter of request and a translation of it into the language of the country to	27.14 (4) When an application is made for a letter of request to be issued, the party who seeks the order shall file - (a) the following documents: (i) a draft letter of request and a translation of it into the language of the country to which the request is directed; (ii) a statement of the issue or issues in the case to which the proposed deposition is relevant, and (iii) a document listing the questions or identifying the

	<p>which the request is directed;</p> <p>(ii) a statement of the issue or issues in the case to which the proposed deposition is relevant, and</p> <p>(iii) a document listing the questions or identifying the subject matter of the questions to be put to the person to be examined and a translation of that document, if necessary, into a language spoken by that person,</p> <p>and</p> <p>(b) an undertaking to be responsible for any fees and expenses charged or incurred by the examiner.”</p>	<p>subject matter of the questions to be put to the person to be examined and a translation of that document, if necessary, into a language spoken by that person,</p> <p>and</p> <p>(b) an undertaking to be responsible for any fees and expenses charged or incurred by the examiner.</p>
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*Made by the President in consultation with five Judges of the Caribbean Court of Justice this 14th day of July, 2006.*

**M. A. de la Bastide**

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

**R. F. Nelson**

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*The Honourable Mr. Justice Rolston Nelson Judge*

Duke Pollard

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

A. Saunders

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*The Honourable Mr. Justice Adrian Saunders Judge*

**D. P. Bernard**

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

J. Th. Wit

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*The Honourable Mr. Justice Jacob Wit Judge*