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TUESDAY 1ST JULY, 2025

THE OFFICIAL GAZETTE 1ST JULY, 2025
LEGAL SUPPLEMENT — B

GUYANA No. 1 of 2025

PRACTICE DIRECTION

Made Under

THE HIGH COURT ACT
(Cap. 3:02)
and
THE CIVIL PROCEDURE RULES OF THE HIGH COURT OF THE SUPREME COURT OF JUDICATURE 2016
(No. 2 of 2016)

IN EXERCISE OF THE POWERS CONFERRED UPON ME BY SECTION 34 OF THE HIGH COURT ACT AND RULE 2.04(1) 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 Court Vacation Practice Direction 2025.

2. Introduction

This Practice Direction provides for the operation of the High Court of the Supreme Court of Judicature in every year during the Court Vacation from the 1st July to the 31st August, inclusive. or any other Court Vacation period appointed by rules of court. pursuant to section 34 of the High Court Act, Cap. 3:02.

3. Matters to be heard during the Court Vacation

(1) Pursuant to section 34. criminal trials in the High Court shall proceed during any Court Vacation.

(2) During any Court Vacation, Judges shall hear the following matters that are deemed urgent and fit for hearing during the Vacation –

(a) applications for extension of time to detain persons;
(b) applications for bail;
(c) applications for injunction;
(d) applications for stay of execution;
(e) applications for decree absolute;
(f) applications in admiralty;
(g) applications in insolvency;
(h) applications under the Anti-Money Laundering and Countering the Financing of Terrorism Act, Cap. 10:11;
(i) Habeas Corpus applications;

(j) matters related to the protection of children;
(k) matters related to the National, Regional and Local Government Elections;
(l) matters under the Interception of Communications Act, Cap. 47:03.

(3) (a) In any other case other than those listed in paragraph 3(1), a party must file an application within an existing case for a matter to be heard urgently during the Court Vacation.
(b) Such applications must be supported by evidence on affidavit setting out the necessary facts and reasons which make the matter urgent such as to require a prompt hearing.
(c) The Judge dealing with the application may grant the application on the papers or direct a hearing and may direct that it be served on such other person or persons as the Judge deems fit.
(d) In cases where the applicant intends to file a without notice application for the grant of interlocutory or other relief or order, this application may be filed at the same time as the application for the matter to be heard in the Vacation. If the Judge orders that the application be heard in the Vacation, the Judge may deal with that application immediately if thought appropriate.
(e) When the Judge grants an application for a matter to be heard in the Vacation and does not deal with the matter immediately, the Judge shall fix a date and time for the hearing of the matter.

4. Hearing of Urgent Applications

(1) Urgent applications (whether made on notice or without notice) are to be heard by the Judge assigned for the hearing of urgent applications, which Judge may not necessarily be the Judge assigned to the substantive case.

(2) A party who intends to file or has filed an urgent application must inform the Registrar, Deputy Registrar or any officer authorised by the Registrar, in writing, including by email at registrar@supremecourt.gy. and deputyregistrar@supremecourt.gy.

(3) The Registrar or Deputy Registrar or any officer authorized by the Registrar must provide directions to the party as to the process for the hearing of the urgent application.

(4) The orders relating to the urgent application must be uploaded to the case on the e-litigation portal and the flysheet updated accordingly.

(5) Unless the order results in the completion of the case, the hearing of the substantive case shall be by the Judge to whom it was assigned on the portal.

5. Suspension of Time Limits during Vacation

(1) During a Court vacation the time prescribed by the Civil Procedure Rules 2016 or by any Practice Direction for filing or serving any Statement of Case (other than a Statement of Claim or Fixed Date Application) does not run unless the Court orders or directs that time shall run.

(2) An originating process may be filed and served during a Court Vacation, provided that
(a) no Defence or other subsequent document becomes due within that period; and
(b) the time for taking any such step begins to run from the next day after the vacation has ended.

Examples are:
(a) For a Statement of Claim filed on the 2nd July, time for the filing of the Defence does not begin to run until the 1st September.
(b) For a Defence filed on the 2nd July, time for the filing of the Reply does not begin to run until the 1st September.
(c) For a Fixed Date Application filed on the 2nd July, the hearing date shall be fixed by the 13th October.

(3) For a Statement of Case filed before the commencement of a Court Vacation where the time for taking the next step does not expire prior to the Vacation, time ceases to run during the Vacation.

Examples are:
(a) For a Statement of Claim filed on the 28th June, time for filing a Defence begins to run from the 29th to the 30th June, then continues to run from the 1st September.
(b) For a Defence filed on the 28th June, time for filing a Reply begins to run from the 29th to the 30th June, then continues to run from the 1st September.
(c) For a Fixed Date Application filed on the 20th June, the hearing date shall be fixed by the 3rd October.

(4) If a matter or application is dismissed before a Court Vacation and the time for appealing does not expire before a Court Vacation, the time for appealing does not run during a Court Vacation.

For example, a matter dismissed on the 20th June, time for filing begins to run from the 21st to the 30th June, then continues to run from the 1st September.

(5) If a matter or application is dismissed during a Court Vacation, time to appeal to the Full Court begins to run from the next day after the vacation has ended.

For example, for matter dismissed on the 2nd July, time for the filing of the Appeal does not begin to run until the 1st September.

Made this 30th day of June, 2025.

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