

BERMUDA STATUTORY INSTRUMENT

SR&O 16/1964

CRIMINAL APPEALS (VACATION) RULES 1964

[made by the Supreme Court under the Supreme Court Act 1905 [title 8 item 1] and brought into operation on 30 March 1964]

ARRANGEMENT OF SECTIONS

- 1 Citation
- 2 Interpretation
- 3 Procedure

Citation

- 1 These Rules may be cited as the Criminal Appeals (Vacation) Rules 1964.

Interpretation

- 2 In these Rules—

"vacation" means a vacation of the Court ordered by the Governor pursuant to section 45 of the Supreme Court Act 1905 [title 8 item 1].

"appeal", "appellant", "respondent" and "notice of appeal" have the same meanings as are respectively ascribed thereto in section 1(1) of the Criminal Appeal Act 1952 [title 8 item 87].

Procedure

- 3 (1) An appellant who desires that his appeal shall be heard during any vacation shall when serving his notice of appeal as provided by section 9 of the Criminal Appeal Act 1952 [title 8 item 87], file with the

CRIMINAL APPEALS (VACATION) RULES 1964

Senior Magistrate an application for the appeal to be heard during that vacation and shall set out therein the grounds of such application.

(2) The Senior Magistrate shall, on receipt of any such application and before taking any other step in relation to the appeal, immediately forward such application to the Registrar of the Supreme Court who shall forthwith place such application before a Judge of the Supreme Court.

(3) If the application is rejected, the appellant and the Senior Magistrate shall be informed accordingly, and the appeal shall be set down for hearing on the first working day after the termination of the vacation, or on such other later day as a Judge may order.

(4) If the application is granted, the Senior Magistrate shall be informed accordingly and he shall, if he has not already done so, proceed in accordance with the provisions of section 13 of the Criminal Appeal Act 1952 [*title 8 item 87*].

(5) Where the appellant has not filed an application for the appeal to be heard during the vacation, the respondent may file such an application and paragraphs (3) and (4) shall apply to such an application.

[Amended by

1969 : 182

SR&O 20/1969]