

Orders of the Royal Court.



II
1964

IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 2nd day of June, 1964, before Sir William Arnold, Kt., C.B.E., C.St.J., Bailiff; present:—Sir John Leale, Wilfred John Corbet, Esquire, O.B.E., Théophile Le Messurier Allez, Bertram Guy Blampied, Claude Fortescue Nason, Stanley Walter Gavay, Esquires, Gilbert Carey de Jersey, Esquire, C.B., Carl Edward Blad, Albert Victor Dorey, Esquires, Laurence Francis de Vic Carey, Esquire, C.B., C.B.E., and William Burton Fox, Esquire, Jurats.

No. 2 Order, 1964

ENTITLED

The Shorthand Notes and Transcripts (Criminal Cases) (Guernsey) Rules, 1964

THE ROYAL COURT, in exercise of the powers conferred upon it by subsection (2) of section forty-one of the Court of Appeal (Guernsey) Law, 1961, and of all other powers thereunto enabling it, hereby orders:—

Interpreta-
tion.

1. (1) In these Rules, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

“the Court of Appeal” means the Court of Appeal constituted under the provisions of Part I of the Law;

“folio” means two hundred consecutive words on one or more pages;

“the Law” means the Court of Appeal (Guernsey) Law, 1961;

“official transcript” means, in relation to any proceedings, the transcript of the shorthand note taken of those proceedings and furnished to the Registrar in accordance with the provisions of Rule 3 of these Rules;

“party interested” means, in relation to any proceedings at the trial of any person convicted by the Royal Court or any appeal by such person under Part III of the Law—

(a) the person convicted;

(b) any other person named in, or immediately affected by, any order made by the Royal Court on the conviction of the person convicted;

and includes any person authorised to act on behalf of the person convicted or of such other person;

“proceedings” means any proceedings at the trial of any person who, if convicted, is entitled or may be authorised to appeal to the Court of Appeal under Part III of the Law;

“the Registrar” means the Registrar of the Court of Appeal;

“the shorthand writer” means the person appointed by the Royal Court from time to time to take shorthand notes of any proceedings.

(2) The Interpretation (Guernsey) Law, 1948, shall apply to the interpretation of these Rules as it applies to the interpretation of an enactment.

(3) Except where the context otherwise requires, any reference in these Rules to any enactment shall be construed as a reference to that enactment as amended, repealed, replaced, extended or applied by or under any other enactment.

2. The shorthand writer shall sign the shorthand note taken by him of any proceedings and shall certify the same to be a complete and correct shorthand note thereof. Shorthand notes.

3. The shorthand writer who took and certified the shorthand note of any proceedings or such other competent person as the Registrar shall appoint in that behalf shall, upon being required so to do by the Registrar, make a typewritten transcript of the whole or any part of the shorthand note of those proceedings and shall furnish such transcript to the Registrar together with a declaration in the form set out in the Schedule to these Rules. Official transcript.

4. (1) A party interested in any proceedings or in any appeal under Part III of the Law connected with those proceedings may obtain from the Registrar a copy of the whole or any part of the official transcript relating to those proceedings upon payment of such fees, if any, as are payable in respect of any such copy under the provisions of the next succeeding Rule. Certified copies of official transcripts.

(2) The Registrar shall, if requested so to do, furnish to Her Majesty's Attorney General a copy of the whole or any part of the official transcript relating to any proceedings.

(3) Every copy of the whole or any part of the official transcript relating to any proceedings shall be certified by the Registrar to be a correct copy of the official transcript.

Fees in
respect of
copies of
official
transcripts.

5. (1) Subject to the provisions of paragraph (2) of this Rule, there shall be paid to the Registrar in respect of any copy of the whole or any part of the official transcript relating to any proceedings furnished to any person in pursuance of the provisions of paragraph (1) of the last preceding Rule the following fees, that is to say—

- (a) where only one copy is so furnished to that person, in respect of each folio or part of a folio thereof, the sum of two shillings;
- (b) where more than one copy is so furnished to that person, in respect of each folio or part of a folio of each additional copy, the sum of two pence.

(2) No fees shall be payable under paragraph (1) of this Rule in respect of any copy of the whole or any part of the official transcript relating to any proceedings furnished to any person in pursuance of the provisions of paragraph (1) of the last preceding Rule if such person—

- (a) is a person to whom an advocate has been assigned under section thirty-three of the Law (which relates to legal aid);
- (b) is a person who has not been granted or has not been refused legal aid under that section and is, in the opinion of Her

Majesty's Attorney General, a person who is or would be entitled to that aid.

6. (1) These Rules may be cited as the Shorthand Notes and Transcripts (Criminal Cases) (Guernsey) Rules, 1964. Citation and commencement.

(2) These Rules shall come into force on the fourth day of June, nineteen hundred and sixty-four.

SCHEDULE

Rule 3

THE SHORTHAND NOTES AND TRANSCRIPTS
(CRIMINAL CASES) (GUERNSEY) RULES, 1964.

Declaration verifying transcript of shorthand notes

Law Officers of the Crown v.

I, _____ of _____
hereby declare that having
been required by the Registrar of the Court of Appeal
to furnish to him a transcript of the shorthand note
relating to the trial (or other proceedings) in relation
to the above-named _____
and purporting to have been
signed and certified by _____ (or
signed and certified by me), I have made a correct
and complete transcript thereof to the best of my
skill and ability in pursuance of the said requirement.

Dated the _____ day of _____, 19____

(Signed)

R. H. VIDELO,

Her Majesty's Greffier.