



In the Royal Court of the Island of Guernsey

The

Orders of the Royal Court

I

2022

IN THE ROYAL COURT OF THE ISLAND OF GUERNSEY

The 7th day of February, 2022 before Richard James McMahon, Esquire, Bailiff; present:- Stephen Murray Jones, OBE, Terry John Ferbrache, Jonathan Grenfell Hooley, David James Mortimer, Esquires, Joanne Marie Wyatt, David John Robilliard, Stuart Michael Crisp, Esquires, Marilyn Jasmine King, Tina Jane Le Poidevin, Paul Martin Burnard, James Robert Toynton, Esquires, Jurats.

No. I Order, 2022

ENTITLED

THE COURT OF APPEAL (CRIMINAL DIVISION) (TRANSCRIPTS)

(GUERNSEY) RULES, 2022

The Court of Appeal (Criminal Division) (Transcripts)

(Guernsey) Rules, 2022

THE ROYAL COURT, in exercise of the powers conferred upon it by sections 41(2) and 44 of the Court of Appeal (Guernsey) Law, 1961^a, and all other powers enabling it in that behalf, hereby orders: -

Certified copies of official transcripts.

1. (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 rule 2.

(2) The Registrar shall, if requested so to do, furnish to Her Majesty's Procureur a copy of the whole or 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.

2. Subject to rule 4, the fee payable 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 pursuant to rule 1(1) shall be –

- (a) for the preparation of the transcript, in respect of each A4 side or part thereof, the sum of £10,
- (b) for any additional copy so furnished, in respect of each A4 side

^a Ordres en Conseil Vol. XVIII, p. 315. This enactment has been amended.

or part thereof, the sum of £1.50.

Fees for listening to recordings.

3. Subject to rule 4, where Her Majesty's Greffier permits a party interested in any proceedings or in any appeal under Part III of the Law connected with those proceedings to listen to the original recording of any proceedings, there shall be payable to Her Majesty's Greffier a fee of £32 for each hour or part of an hour during which access to such recording is granted.

Exemptions from fees in certain cases.

4. No fees shall be payable under rule 2 or 3 in respect of any copy of the whole or any part of the official transcript relating to any proceedings furnished to any person, or in respect of access to the recording of any proceedings by any person, if such person -

- (a) has been granted legal aid under section 33 of the Law, or
- (b) has not been granted or refused such legal aid, but is, in the opinion of the President of the Court of Appeal, a person who is or would be entitled to that aid.

Revocations.

5. The Rules set out in the Schedule are revoked.

Interpretation.

6. In these Rules, unless the context otherwise requires -

"the Law" means the Court of Appeal (Guernsey) Law, 1961,

"official transcript" means, in relation to any proceedings, the transcript of the record of those proceedings furnished to the Registrar under section 41 of the Law,

"party interested" means, in relation to any proceedings at the trial of any person convicted by the Royal Court or dealt with under any of the provisions referred to in section 24A(1) of the Law, or any appeal by such person under Part III of the Law –

- (a) the person convicted or dealt with,
- (b) any other person named in, or immediately affected by, any order made by the Royal Court on such conviction or dealing,

"proceedings" means any proceedings –

- (a) at the trial of any person, or
- (b) where a person is being dealt with under any of the provisions referred to in section 24A(1) of the Law,

where the person, if convicted, or having been dealt with, as the case may be, is entitled or may be authorised to appeal to the Court of Appeal under Part III of the Law, and

"the Registrar" means the Registrar of the Court of Appeal.

Citation.

7. These rules may be cited as the Court of Appeal (Criminal Division) (Transcripts) (Guernsey) Rules, 2022.

Commencement.

8. These rules shall come into force on 7th February, 2022.

SCHEDULE

Rule 5

RULES REVOKED

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

The Shorthand Notes and Transcripts (Criminal Cases) (Amendment) (Guernsey) Rules, 1985^c

The Shorthand Notes and Transcripts (Criminal Cases) (Amendment) (Guernsey) Rules, 1989^d

The Shorthand Notes and Transcripts (Criminal Cases) (Amendment) Rules, 1990^e

The Shorthand Notes and Transcripts (Criminal Cases) (Amendment) (Guernsey) Rules, 2012^f

The Shorthand Notes and Transcripts (Criminal Cases) (Guernsey) (Amendment) Rules, 2014^g

The Shorthand Notes and Transcripts (Criminal Cases) (Guernsey) (Amendment) Rules, 2016^h

The Shorthand Notes and Transcripts (Criminal Cases) (Guernsey) (Amendment) Rules, 2018ⁱ

^b O.R.C. No. II of 1964. This enactment has been amended.

^c O.R.C. No. I of 1985.

^d O.R.C. No. I of 1989.

^e O.R.C. No. VI of 1990.

^f O.R.C. No. VI of 2012.

^g O.R.C. No. V of 2014.

^h O.R.C. No. VI of 2016.

ⁱ O.R.C. No. VI of 2018.