

Practice Directions - No. 10 of 2000

COURT OF APPEAL – LATE LODGMENT OF WRITTEN OUTLINES OF ARGUMENT

Practice Direction No. 26 of 1999 specifies time periods within which parties to appeals and applications must file written outlines of argument (see para 18, 19, 29, 32). Failures to adhere to those time limitations disrupt the efficient conduct of appeals and applications. The apparently developing extent of such neglect warrants amendment of the practice direction to reinforce the relevant obligations.

Practice Direction No. 26 of 1999 is accordingly amended to add a new para 8A as follows:

"If a party to an appeal or application lodges a written outline of argument outside the designated time period (see paras 18, 19, 29, 32):

- (a) the party will provide the Court of Appeal Registry with a written explanation as to why the written outline of argument is being filed after the due date;
- (b) the written explanation may be contained either within the written outline of argument or else in a separate document;
- (c) the late written outline of argument may not be accepted for filing in the Court of Appeal Registry without such written explanation;
- (d) the written explanation will include details of when the legal representative (if any) was instructed in the appeal or application, and the particular reason why the material is being filed after the due date; and
- (e) if the written explanation is not contained within the written outline of argument, then the party will file five copies of the written explanation in the Court of Appeal Registry and an extra copy will be served on all parties."

(Paul de Jersey)
Chief Justice
7 November 2000