

Turks and Caicos Islands  
Supreme Court Ordinance

## Practice Direction 6 of 2020 Government Notice 933 of 2020

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**Turks and Caicos Islands**  
**Supreme Court Ordinance**  
**Practice Direction 6 of 2020**  
**Government Notice 933 of 2020**

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**Commenced on 5 January 2021**

*[This is the version of this document from 24 December 2020.]*

**To provide for the transitioning from remote to in-person court business**

**AUTHORITY:** This Practice Direction is issued by the Chief Justice acting in conjunction with the Chief Magistrate pursuant to Section 17 of the Supreme Court Ordinance, section 150 of the Magistrate's Court Ordinance, and the Court Live Link (Remote Participation) Ordinance 2020.

**Whereas** section 17 of the Supreme Court Ordinance vests authority in the Chief Justice to give directions for the practice and procedure of the Supreme Court.

**Whereas** section 150 of the Magistrate's Court Ordinance vests power in the Magistrate to make rules for the effective execution of court business.

**Whereas** the Court Live Link (Remote Participation) Ordinance 2020 provides for the conduct of remote hearings;

**Whereas** the COVID-19 pandemic is reduced in severity in The Turks and Caicos Islands, and the physical distancing protocols in place under the Public and Environmental Health (COVID-19)(Control Measures) (No. 7) Regulations 2020 permit the resumption of operation of in-person activities for businesses with eased restrictions.

**And Whereas** the duty of the courts to ensure the proper administration of justice in a safe and healthy environment remains paramount.

**Now therefore** the following directions are made for transitioning the court from the remote conduct of court business to the conduct of normal court business, including in person and hybrid remote and in-person hearings by the courts in the Turks and Caicos Islands.

**Introduction:**

This Practice Direction No. 6 seeks to replace Practice Direction No. 3 and Practice Direction No. 4 which have ran their course.

**Commencement:**

The effective commencement date of this Practice Direction is: January 5, 2021 and shall remain in force unless it is varied, revoked, suspended or replaced by the Chief Justice.

**Interpretation:**

"**Court Users**" shall, for the purposes of this Practice Direction, refer to persons necessary to hearings in any of the courts on a particular day, as well as persons appointed to meet with the Registrar, or to use the dropbox for filing and submission of documents.

"**Necessary Persons**" to a hearing are: the Judge and Magistrate, Clerk of Court or Registrar, Interpreter, Prosecutors, Defence Counsel, litigants, Police Officers, Prison Officers, defendants, witnesses to be called in the day's proceedings, and members of the media.

"**Court Registry**" refers to the Registry of the Supreme Court, and the Magistrate's Court as applicable

"**Registrar**" refers to the Registrar of the Supreme Court.

"**Clerk of Court**" refers to the Clerk of Court at the Magistrate's Court

### **Resumption of in-person court business:**

#### **1. Mode of court hearings**

- (1) Court hearings shall be held either remotely: in accordance with the provisions of the Court Live Link (Remote Participation) Ordinance 2020, in person, or in a hybrid remote and in person manner.
- (2) The discretion to hold an in person or hybrid remote and in-person hearing may be exercised by the court on its own motion, or upon the application of parties or of counsel on either side.
- (3) The business of the Court Registry may be carried out either remotely or in person, as the Registrar or Clerk of Court directs.
- (4) In a hybrid remote and in-person hearing, counsel may address the court or make submissions, and witnesses may testify from a place of remote access which may include a place designated a Remote Access Room within the court building.

An application for the use of a Remote Access Room where such exists, may be made upon application to the Registrar or Clerk of Court.

- (5) The place from which a Judge or Magistrate sits to conduct hearings shall for all purposes, be deemed a courtroom.

#### **2. Public participation in trials**

- (1) For maximum public access, criminal trials shall as much as practicable, be streamed live.
- (2) The live-streaming may be to a particular place where the public are provided access, or, the link shall be supplied by notice in the public media, and on the Judiciary's website, in the proper case.
- (3) Hearings in civil matters may be streamed live upon a request by both counsel to the Registrar, not less than forty-eight hours before the first day of hearing.
- (5) Notwithstanding the availability of live streaming, members of the public and the media who wish to observe the trial from the court premises may do so remotely from a Remote Access Room where available, upon giving notice to the Registrar, not less than forty-eight hours before the hearing.

*[Please note: numbering as in original.]*

- (6) No more than five persons may be in a Remote Access Room at any time having regard to the necessary observance of physical distancing protocols.
- (7) A jury trial may be streamed to a particular place for public participation, or a link may be provided for public access into the trial.

#### **3. Criminal trials**

1. Criminal trials shall, be held in person, remotely or in a hybrid remote and in person manner, in accordance with paragraphs 1(1) and (2).

**2. Judge alone trials**

Judge alone trials shall continue to be at the election of a party, or the court, subject to the right of a defendant to object thereto in accordance with section 58 of the Criminal Procedure Ordinance Cap. 3:03

**3. Trials by Jury**

Trials by Jury are to be held in accordance with the provisions of [Practice Direction No. 5 of 2020](#).

**4. Civil trials**

1. Civil trials shall continue to be heard remotely, unless the court orders it to be held in-person, or partly remote, and partly in-person in accordance with paragraphs 1(1) and (2).

**5. General protocols for court attendance**

- (1) All court staff and court users shall wear face masks to enter the court building.
- (2) The masks shall be worn for the duration of their time in the court buildings, and during court proceedings unless otherwise directed by the court.
- (3) Apart from court staff, only necessary persons shall be permitted to enter the court building; and only necessary persons to a particular hearing shall be in the designated courtroom or in the area immediately outside the courtroom.
- (4) Court users shall enter the court building one after the other, keeping the six feet physical distancing protocol, as directed by signs and the court's security guards.
- (5) Court users shall continue to keep the six feet physical distancing protocol once they enter the court building and also in the court room, Registrar's office, and everywhere else in the court building.
- (6) Court users shall sanitize their hands by accepting and using hand sanitizers provided, or by washing their hands in the sinks provided at the entrance to the court building.
- (7) Any person who refuses to comply with these general protocols for court attendance shall be denied entry to the court building by the security guards.
- (8) All court users without exception shall submit to temperature checks by use of a handheld or stand alone thermometer.
- (9) Any person displaying flu-like symptoms or whose temperature exceeds 99.5 (°F) or 37.5 (°C) shall be denied entry to the court building.
- (10) All court users shall be subjected to security checks at the entrance of the court building.
- (11) A Judge or Magistrate or Registrar (in the proper case) may wear a mask for court proceedings or part thereof.
- (12) Witnesses shall testify wearing masks unless permitted to do otherwise by the Judge or Magistrate.
- (12) Counsel shall wear masks to address the court and make submissions, as well as lead witnesses in evidence, unless permitted to do otherwise by the Judge or Magistrate.
- (13) Counsel are not required to robe for the remote court appearance; counsel shall however dress appropriately in a dark suit, in accordance with the best sartorial traditions of the Bar.
- (14) Where court appearance is in-person (or where it is hybrid, to the extent that counsel are required to make a physical appearance), counsel are required to robe as was done immediately before the coming into force of the now-revoked [Practice Direction No. 3 of 2020](#).

**6. Appearance**

- (1) Pre-trial procedures such as Sufficiency Hearings and Plea and Direction and Readiness hearings shall be conducted remotely, unless the court otherwise directs.
- (2) In remote proceedings, defendants in criminal cases, as well as persons ordered to be produced in *habeas corpus* proceedings may appear remotely by video link unless otherwise directed by the court. Remote appearance by video link shall be deemed a production of such persons for the purpose.

**7. Remote hearings**

- (1) Remote hearings shall be conducted in accordance with the Court Live Link (Remote Participation) Ordinance 2020.
- (2) A person summoned to appear before the court in a remote hearing, shall appear by video link as defined by section 2 of the Court Live Link (Remote Participation) Ordinance 2020.
- (3) The choice of platform: Microsoft Teams or Zoom, shall fall within the discretion of the Judge, Magistrate or Registrar (in the appropriate case).
- (4) The Registrar, Court Clerk or Clerk of Court at the Magistrate's Court (as the case may be) shall set up the hearing, allow access into the hearing, end the hearing, and produce a record of the hearing.
- (5) Parties, counsel, witnesses and any necessary person to the hearing, including an officer from the Department of Social Development, shall be granted access to the hearing.
- (6) Except where the proceedings are held in camera, the hearing may be accessible to the media and to members of the public upon their application to the Registrar or Clerk of Court (as the case may be) or may be participated in by the livestreaming of proceedings.

**8. The record**

- (1) Recording of the proceedings shall be done by the Registrar, Court Clerk and Clerk of Court or Court Clerk.
- (2) The record produced by the responsible person shall be turned over to the Registrar of the Supreme Court, or the Chief Magistrate (as the case may be) at the end of the day's proceedings.
- (3) The Registrar of the Supreme Court, or the Chief Magistrate (as the case may be), shall deliver the record to a transcriptionist for the production of a transcribed record.
- (4) The transcribed record shall be certified by the Registrar or Chief Magistrate as applicable.
- (5) The certified record shall be for all purposes, including appeals, be the record of the court of the hearing.
- (6) For the avoidance of doubt, no other person present at the proceedings may record the proceedings.
- (7) Counsel or parties may request for the certified record upon the payment of a prescribed fee or the audio recording.
- (8) As much as practicable, the hearing shall simulate a courtroom setting all standards in court hearings being adhered to, with rules of procedure and evidential rules applying.
- (9) Where the hearing is by video only, and a technological problem arises, counsel or parties may use a telephone (either voice or text messaging including WhatsApp) or email to immediately alert the Registrar, Clerk of Court, Court Clerk, Judge or Magistrate, to the problem.
- (10) Members of the media may upon their application to the Registrar or Clerk of Court, be given access to the hearing other than those held in camera, they are not entitled to participate in it.
- (11) Save what may traditionally be reported of court proceedings by the media, members of the media shall not reproduce the hearing on social media or broadcast the hearing electronically.

**9. In person and hybrid proceedings**

- (1) There shall be no more than ten persons at any time in a courtroom including the Judge, Magistrate, Registrar or Clerk of Court.
- (2) Witnesses shall be kept at a place within the court premises where the physical distancing protocol is observed, and shall be escorted by a court official into the courtroom as needed.
- (3) Where a court building has a designated Remote Access Room but no available room for witnesses, witnesses may be kept in the Remote Access Room. In such a circumstance, no member of the public or media shall be allowed in that room.
- (4) Only counsel of record in a case, (or if the number limitation of ten persons permits, their junior counsel), may be in the courtroom.
- (5) If more than one counsel represents parties on either side, one lead counsel for one side may sit at the end of the front row of the Bar, along with opposing counsel who may sit at the end of the opposite side.
- (6) The other attorneys for the other parties may sit in the second row to observe the physical distancing protocol.
- (7) It is where there is only one lead counsel on either side that junior counsel (only two of whom may be permitted at the hearing) may sit after the said lead counsel at the end of the row on opposite ends.
- (8) Where a defendant participates in the proceedings by video link from the Prison, the room from which he appears and participates in the proceedings shall for all purposes, be designated the dock.

**10. The proceedings - Judge alone criminal trials**

- (1) Unless it is inconvenient or impracticable for defendants in custody to be physically present in court for trial, all defendants shall appear in court for trial
- (2) Notwithstanding the preceding provision, no person shall be transported from Prison custody at Grand Turk to the Supreme Court at Providenciales for trial.
- (3) All criminal trials scheduled for hearing at the Supreme Court, Providenciales, shall take place before a Judge at Providenciales in a proceeding which may be conducted remotely, in person, or a hybrid partly remote, partly in-person.
- (4) Where a defendant is in custody at HM Prisons, Grand Turk, he shall stand trial at the Supreme Court before a Judge at Grand Turk in a proceeding which may be conducted remotely, in person, or a hybrid partly remote, partly in-person.
- (5) Notwithstanding the preceding provision, a Judge, whether due to his inability to travel to Grand Turk to conduct the judge-alone trial by reason of continuing COVID-19 restrictions or other communicated reason, may decide to conduct the hearing from Providenciales by video link over a matter in which the defendant is at Grand Turk, whether or not he is in Prison custody.
- (6) A defendant may participate in the proceedings set out in the preceding paragraph, being physically present at the Supreme Court (or Magistrate's Court) in Grand Turk, by video link.
- (7) Where in the circumstances set out in the preceding paragraph, it is impracticable for the defendant being in Prison custody, to be present at the Supreme Court (Or Magistrate's Court) in Grand Turk for the hearing by video link before a judge at Providenciales, the defendant shall participate in the proceedings from the Prison by video link.
- (8) When a defendant stands in the dock at the Supreme Court (or the Magistrate's Court) at Grand Turk and participates in his or her trial by video link before a Judge at Providenciales, he or she shall be deemed to be standing in the dock before the Judge at Providenciales.

- (9) When a Defendant participates in his or her trial from HM Prison, the remote access room at the Prison, shall for all purposes be designated the dock.
  - (10) Where a trial takes place at the Supreme Court, Providenciales, with the defendant participating from the Supreme Court (or Magistrate's Court) at Grand Turk, or from Prison custody at Grand Turk, witnesses in Providenciales shall testify from the witness box in the courtroom before the Judge; while witnesses in Grand Turk shall testify from the Supreme Court (or Magistrate's Court) in Grand Turk from the witness box by video link.
  - (11) Witnesses testifying from the courtroom at the Supreme Court (or Magistrate's Court), Grand Turk by video link in a trial in which the Judge sits at Providenciales, shall be sworn by court officials at Grand Turk.
  - (12) A Defendant, testifying from HM Prison at Grand Turk may be sworn in by a court official remotely at the Supreme Court Grand Turk, or the Supreme Court, Providenciales.
  - (13) Where more than one Defendant is arraigned or stands trial on criminal charges and appears physically in court, whether physically before the Judge at Providenciales, or by video link from the Supreme Court in Grand Turk, the defendants may stand in the dock, and any area in the courtroom designated the dock, for the purpose of the arraignment or trial.
  - (14) Where a trial is held at the Supreme Court at Providenciales, counsel being physically present, may take instructions and communicate with defendants being physically present in the dock, on the mobile telephones provided in the dock.
  - (15) Before court proceedings, counsel may take instructions from defendants whether on bail or in custody, in the Robing/Conference Room provided in the Supreme Court building which shall observe the physical distancing protocol.
11. **The proceedings - Magistrate's Court**
- (1) The Magistrate shall, in accordance with paragraph 1(1) and (2) may either on his own motion, or at the application of parties or counsel, conduct remote, in-person or hybrid remote and in-person hearings.
12. **Tendering of exhibits**
- (1) Document exhibits shall be tendered in the ordinary way, or in person or in hybrid remote or in person proceedings.
  - (2) In remote hearings, a document may be tendered in evidence in this manner:
    - i. Counsel or a party tendering a document shall indicate the intention to tender document(s) in the proceedings and immediately upload it onto the FILES page on the platform.
    - ii. Once uploaded, the Registrar, Court Clerk or Clerk of Court at the Magistrate's Court shall mark same on the FILES page, share the screen with all participants.
    - iii. All other exhibits, especially such as instruments for the commission of a crime, shall be tendered visually by raising same for the visual inspection of all persons present at the remote hearing, The Registrar shall write on the FILES page that such has been tendered, mark it, and inform the Judge or Magistrate.
13. **Filing and service of documents - General provisions**
- (1) A document may be filed by email or physically at the Registry.
  - (2) The procedure for the filing of documents, processes, and exhibits by email in the Supreme Court and the Magistrate's Court shall be in the manner following:

- (3) All processes and documents for use in court proceedings shall be filed by email between the hours of 8:30 am and 4:00 pm each day (regular business hours).
    - i. Any document that is filed before the regular business hours on any given day shall be deemed to have been filed at 8:30 am of that day.
    - ii. Any document that is filed after 4:30 pm of any given day shall be deemed to have been filed at 8:30 am the next day.
    - iii. Any document that is filed on a weekend shall be deemed to have been filed at 8:30 am on the next business day.
  - (4) When a document is filed, the subject line of the email shall contain the following information:
    - i. The title of the case;
    - ii. The case number (if available); and
    - iii. The type of process being filed.
  - (5) The following shall be included in the body of the email:
    - i. The sender's identity; and
    - ii. Contact address.
  - (6) Documents filed by email shall be sent as attachments and not as text in the body of the email; and shall be in PDF format.
  - (7) Where requested, a document filed in PDF format may also be filed in MS Word.
  - (8) Draft orders shall be filed in Microsoft Word (MS Word) format.
  - (9) Every document filed shall be legible, paginated, in the order in which it is presented, and scanned right side up to enable easy reading.
  - (10) Each document shall be uploaded separately and labelled clearly.
  - (11) While providing access to justice may preclude a limitation on the documents to be filed as documentary evidence in a matter, counsel are advised and encouraged to file documents that are properly described as relevant evidence.
- 18. Affidavits and other sworn documents**
- (1) Every affidavit for use in court proceedings shall be sworn in accordance with the Rules of Court.
  - (2) Where the swearing of an affidavit is to be done remotely, swearing shall be done remotely before Justices of the Peace.
  - (3) For the purpose of accessing Legal Aid services, the Superintendent of Prisons, the Deputy Superintendent of Prisons, designated Justices of the Peace, may swear statements of means in accordance with the Legal Aid Rules for poor inmates of Her Majesty's Prison.
- 19. Service of processes and documents:**
- (1) Service of documents, processes and bundles may be done either electronically, or physically.
  - (2) Acknowledgement of, and proof of service shall be done either electronically or at the direction of the Registrar or Clerk of Court, by filing same at the Registry.
  - (3) Every document or originating process required to be served in accordance with Order 10 of the Rules of the Supreme Court 2000, may be served by email.
  - (4) Unless the court otherwise orders, every document or originating process required to be served in accordance with Order 11 may be served by email.

- (5) Personal service on a party is deemed to have been effected when a read receipt of an email is received by the party or counsel.
  - (6) To make room for where the read receipt function may not be operational, every such document shall be copied to the Registrar. Receipt by the Registrar is *prima facie* evidence that it has been received by the intended party or counsel.
  - (7) Proof of service of a filed document shall be by way of an affidavit of service sent by email which shall exhibit the following:
    - i. A copy of the e-mail by which the document in question was served;
    - ii. A copy of any message tracking, relay or delivery confirmation, including the address to which the e-mail was sent, the date and time the email was sent, and if applicable, a copy of any reply or bounce-back notice of non-delivery or delivery failure;
    - iii. A read receipt of the email in which the document or process was served.
  - (8) Proof of service as set out in paragraph 7 shall be sent by email to the Registrar.
  - (9) An attorney for the defendant who accepts service of a writ of summons on behalf of the defendant shall indorse on the writ of summons such acceptance, and send an acknowledgement of service by email to the Registrar.
  - (10) Service on attorneys shall be effected at an email address notified by an attorney for this purpose, or failing such notification, the address on the attorney's letterhead or website, or the email address of the general mail box of the firm to which the attorney belongs.
  - (11) Service on a limited company shall be effected at an email address notified by the company or its registered agent for the purpose, or failing such notification, the address on the company's letterhead or website or that of its registered agent, or the email address of the general mail box of the company or that of its registered agent.
  - (12) Service on the Crown shall be effected at an email address notified by the Attorney General's Chambers or the Office of the Director of Public Prosecutions for such service.
  - (13) Service of documents on the court in both civil and criminal matters shall be made by email to the following addresses: [courtregistry@goc.tc](mailto:courtregistry@goc.tc) or [magistratecorttci@gov.tc](mailto:magistratecorttci@gov.tc) as the applicable.
20. **Addresses for filing of documents and processes**
- (1) The address for filing of documents and processes at the Supreme Court Registry is [courtregistry@gov.tc](mailto:courtregistry@gov.tc).
  - (2) Attendance at the Registry for physical filing of documents shall be by appointment only to be made at [supremecourtci@gov.tc](mailto:supremecourtci@gov.tc).
  - (3) Documents for filing by email shall be sent to [courtregistry@gov.tc](mailto:courtregistry@gov.tc) or [magistratecourtci@gov.tc](mailto:magistratecourtci@gov.tc) as applicable.
  - (4) Requests for searches or copies of court records (shall be accompanied by payment receipts); requests for payment vouchers, inquiries or communications about court proceedings or any other court related matter at the Supreme Court or at the Magistrate's Court shall be sent to: [supremecourtci@gov.tc](mailto:supremecourtci@gov.tc) or as applicable.
  - (5) Documents shall not be sent for filing to the personal email addresses of court staff or any other court email address, unless otherwise directed by the Court.
20. **Physical filing of documents**
- (1) Where filing is done physically, counsel or parties shall leave the documents along with payment receipts at the Registry in a dropbox provided at the Registry.



- (2) Where filing is done physically, the paper documents, processes, exhibits, and bundles shall be submitted whether in files, envelopes or boxes, encased in plastic or other impermeable or water resistant material that may be sanitized by wiping.
- (3) A document sent by email or lodged at the Court Registry shall not be filed unless a payment receipt accompanies the documents or (with the Registrar's permission), a cheque covering the requisite fees is received.
- (4) Documents submitted with incorrect filing fees or that do not comply with the relevant rules of court or with this Practice Direction shall be rejected or returned.
- (5) Where a party files a document by email he may also send a hard copy of that document to the Court Registry as directed to do so by the court.
- (6) Filed hard copies of documents may also be resent by email, as may be directed by the court.
- (7) The court shall treat a document as filed on the date and time the documents are received by email at [courtregistry@gov.tc](mailto:courtregistry@gov.tc) or [magistratecourttci@gov.tc](mailto:magistratecourttci@gov.tc) as applicable, along with a payment receipt indicating that the appropriate fees have been paid.
- (8) The description of a document to be contained in the email by which it is filed shall be as in the Schedule to these directions.
- (9) A document purportedly filed by email that contains no description, shall not be treated as filed.
- (10) The court takes no responsibility for the security of the information (albeit flagged as sensitive, confidential, or otherwise) sent by email.

## 21. Filing fees

- (1) All filing fees, whether or not documents are submitted by email or physically lodged at the Court Registry, or any other fees or payments made to the Supreme Court or the Magistrate's Court in relation to a court proceeding, shall be paid online.
- (2) The payment shall be made to TCIG via an on-line transfer of funds, unless the Registrar or Clerk of Court (as the case may be) gives permission to present a cheque for payment.
- (3) Online payments shall be made in this manner:
  - i. The payer shall request a payment voucher from the Registry by sending an email to [supremecourttci@gov.tc](mailto:supremecourttci@gov.tc) or [magistratecourttci@gov.tc](mailto:magistratecourttci@gov.tc) as applicable.
  - ii. For the verification of filing fees, the document(s) being filed shall be attached to the email.
  - iii. No request for a payment voucher may be sent to the personal email addresses of court staff or any other court email address.
  - iv. The subject line of the email shall read: "Request for Payment Voucher", followed by the file number, if available.
  - v. An email for a payment voucher for a new matter at the Magistrate's Court shall have the following subject line: "**Request for Payment Voucher– NEW CIVIL**"; "**Request for Payment Voucher - NEW DOMESTIC**"; "**Request for Payment Voucher - NEW CRIMINAL**" or "**Request for Payment Voucher - NEW NIB**" for filing of Civil, Domestic, Criminal and NIB matters respectively.
  - vii. The body of the email requesting for a payment voucher in either court shall include:
    1. The file number (if available);
    2. The title of the matter;
    3. The document(s) to be filed;
    4. The amount to be paid; and

5. The name and telephone number of the person sending the email.
- viii. Upon receipt of a request, the court shall send an email with the voucher attached.
- ix. Online payments shall be made only upon receipt of the payment voucher.
- x. Persons seeking to make online payments shall upon receipt of the payment voucher, verify that it reflects the correct filing fees. Documents submitted for filing with incorrect filing fees shall be rejected or returned.
- xi. Online payment shall be made by on-line transfer from your bank account to any of **TCIG's** account listed below:  
**CIBC FCIB:** Account # 1575027, Name - Treasury  
**SCOTIABANK:** Account # 000754415, Transit - 94045, Name - Turks and Caicos Islands Government.  
**RBC** Account # 4020087, Transit - 05395, Name - Turks and Caicos Islands Government.
- xii. The online payer shall send an email containing a copy of the payment voucher and a screenshot showing proof of payment online to: [treasuryreceipts@gov.tc](mailto:treasuryreceipts@gov.tc).
- xiii. The Treasury after verifying the payment, shall send a confirmation email with the payment voucher stamped "PAID".
- xiv. Upon payment, documents may be filed either by:
  - a. Leaving a copy of the payment receipt along with the documents to be filed at the Court Registry, or
  - b. Sending a copy of the payment receipt and documents to be filed to [courtregistry@gov.tc](mailto:courtregistry@gov.tc) or [magistratecourttci@gov.tc](mailto:magistratecourttci@gov.tc) as applicable.

## 22. Payment of fines

- (1) The Registrar or Clerk of Court shall issue a payment voucher for the payment of a fine by email.
- (2) Payment of the fine shall be made by or on behalf of a convicted person with the transfer of funds to the Treasury online.
- (3) A copy of the computer-generated receipt shall be emailed to [treasuryreceipts@gov.tc](mailto:treasuryreceipts@gov.tc) and to the Registrar or the Clerk of Court.
- (4) A record shall be made on the court file, and the process to effect the release of the convicted person shall be effected.

## 23. Urgency

- (1) An urgent application at the Supreme Court shall be accompanied by a "Certificate of Urgency" signed by counsel or by the applicant if he acts in person.
- (2) The certificate shall be accompanied by an affidavit which shall set out the relevant facts explain why the matter fit for urgent hearing.

## 24. Applications for admission

- (1) An application for admission to practice as an attorney may be made in person or on the papers
- (2) The Chief Justice may determine whether the application shall be heard in person, remotely, or considered on the papers.
- (3) Where the application is to be heard remotely, the oath shall be taken remotely before the Chief Justice.

**25. Ex parte applications and Registrar's hearings**

- (1) *Ex parte* applications may be heard in person, remotely, or on the papers as directed by the Judge or Registrar.
- (2) The order of the court shall be transmitted by email to the applicant and every person affected by it, except where the court orders otherwise, or orders additional service.
- (3) Every applicant seeking *ex parte* orders shall in addition to providing physical addresses, provide the email addresses of the persons to be affected by the orders sought.
- (4) The Registrar's hearings may be conducted either in person or remotely as directed by the Registrar.
- (5) A hearing before a Registrar shall be conducted as nearly as practicable in the manner provided for conduct of hearings before a Judge or Magistrate.

**26. Applications (on notice) on the papers**

- (1) At the discretion of the Judge, an uncontested application may be determined on the papers without the need for an oral hearing.
- (2) If the applicant considers that the application may be suitable for determination on the papers, he should ensure before filing the papers that:
  - (i) the application, together with any supporting evidence, has been served by affidavit on the defendant or respondent (if any);
  - (ii) the defendant or respondent (if any) has been allowed the appropriate period of time in which to serve an affidavit in opposition;
  - (iii) any affidavit in reply has been served on the defendant or respondent (if any); and
  - (iv) there is included in the papers the written consent of the defendant or respondent (if any) to the disposal of the application on the papers without an oral hearing.
- (3) A draft proposed order shall be filed along with the papers. The draft proposed order shall state that the Judge considers the application to be suitable to be disposed of on the papers without the need for an oral hearing.

**27. Inspection of files and cause book searches**

- (1) Inspection of files or the conduct of a cause book search may be done physically or remotely, as directed by the Registrar.
- (2) Where inspection or search as in the preceding paragraph is to be conducted, a party or attorney seeking an inspection of files or the conduct of a cause book search at the Supreme Court shall:
  - i. Send the requisite form by email to the Registrar at [supremecourtci@gov.tc](mailto:supremecourtci@gov.tc).
  - ii. The Registrar shall conduct the search and provide the results by email to the address by which the request was made in the shortest possible time.

**28. Other addresses**

1. The address for appointments for the filing of documents is: [supremecourtci@gov.tc](mailto:supremecourtci@gov.tc), [magistratecourtci@gov.tc](mailto:magistratecourtci@gov.tc) as applicable.
2. The telephone numbers for making appointments and for making enquiries at the Supreme Court, are:

Supreme Court Registry **Grand Turk: 338-3968 or 231-7409**

Supreme Court Registry **Providenciales: 338-4203 or 232-2460**

[Note: The email address: [courtregistry@gov.tc](mailto:courtregistry@gov.tc) is for filing of documents only, it is not designed or intended to receive any inquiries or other communications about court proceedings.]

3. The telephone numbers for making appointments and for making enquiries at the Magistrate's Court are:

Magistrate's Court Registry (**Grand Turk**): 338-3967 or 232-3949

Magistrate's Court Registry (**Providenciales**): 338-4201 or 338-4205 or 2327240

## Schedule

### Description of documents for filing by email

1. The file names of all documents submitted for filing by email shall start with the file number (if available), followed by the name of the document. Example: **"CL 00/20 - Notice of Change of Attorney"**.
2. For filing at the Supreme Court, the subject line of the email shall read as follows:  
**Civil:** CIVIL [File number] [Names of the parties] example: **"CIVIL - CL 00/20 John Doe v Jane Doe"**.  
**Criminal:** CRIMINAL [File number] [Names of the parties], example: **"CRIMINAL - CR 00/20 R v Jane Doe"**.  
**Divorce:** DIVORCE [File number] [Names of the parties], example **"DIVORCE - D 00/20 Jane Doe v John Doe"**.  
**Probate:** PROBATE [File number] [Names of the matter] example: **"PROBATE - PA 00/20 In the Estate of John Doe"**.
3. For filing at the Magistrate's Court, subject line of the email shall read as follows:  
**Civil:** CIVIL [File number] [Names of the parties] example: **"CIVIL No. 00/20 John Doe v Jane Doe"**.  
**Criminal:** CRIMINAL [File number] [Names of the parties], example: **"CRIMINAL No. 00/20 R v Jane Doe"**.  
**NIB:** NIB [File number] [Names of the parties], example: **"NIB No. 00/20 NIB v John Doe"**  
**Domestic:** DOMESTIC [Type of Application] [File number] [Names of the parties], example: **"DOMESTIC - PROTECTION No. 00/20 Jane Doe v John Doe."**

Issued this 23<sup>rd</sup> day of December, 2020 by:

Mabel M. Agyemang

Chief Justice