

No. S 53

**SUPREME COURT ACT
(CHAPTER 5)**

RULES OF THE SUPREME COURT (AMENDMENT) RULES, 2005

ARRANGEMENT OF RULES

Rule

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 3. Amendment of Order 5.
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SUPREME COURT ACT
(CHAPTER 5)

RULES OF THE SUPREME COURT (AMENDMENT) RULES, 2005

In exercise of the power conferred by subsection (1) of section 12 of the Supreme Court Act, the Judges of the Supreme Court, with the approval of His Majesty the Sultan and Yang Di-Pertuan, hereby makes the following Rules —

Citation.

1. These Rules may be cited as the Rules of the Supreme Court (Amendment) Rules, 2005.

Amendment of Order 1 of R1 of Chapter 5.

2. Order 1 of the Rules of the Supreme Court, in these Rules referred to as the principal Rules, is amended, in rule 2, by adding the following new paragraph —

"(4) For the avoidance of doubt, these Rules shall be read subject to Article 84C of the Constitution of Brunei Darussalam and sections 20A to 20E of the Act."

Amendment of Order 5.

3. Order 5 of the principal Rules is amended, in paragraph (1) of rule 4, by inserting "be" immediately after "to" in the second line.

Amendment of Order 8.

4. Order 8 of the principal Rules is amended, in rule 5, by deleting the fullstop immediately after "The" from the first line.

Amendment of Order 11.

5. Order 11 of the principal Rules is amended, in rule 6 —

(a) in the sub-heading, by inserting a comma immediately after "governments" in the first line;

(b) in sub-paragraph *(a)* of paragraph (3), by deleting "judicial" and by substituting "judicial" therefor;

(c) in the proviso to paragraph (4), by deleting "Covention" from the penultimate line and by substituting "Convention" therefor;

(d) in paragraph (6), by deleting "in" from the penultimate line and by substituting "is" therefor.

Amendment of Order 16.

6. Order 16 of the principal Rules is amended, in rule 11 —

(a) in the sub-heading, by deleting "Counterclaim" and by substituting "Counter-claim" therefor;

(b) by deleting "cunterclaim" from the first line and by substituting "counter-claim" therefor.

Amendment of Order 17.

7. Order 17 of the principal Rules is amended —

(a) in paragraph (2) of rule 2 —

(i) by inserting a comma immediately after "must" in the second line;

(ii) by deleting the fullstop immediately after "in" from the fifth line;

(b) in paragraph (2) of rule 11, by deleting "ail" from the second line and by substituting "all" therefor.

Amendment of Order 18.

8. Order 18 of the principal Rules is amended, in rule 17 —

(a) in sub-paragraph (a), by deleting "rule 15(1)" from the first line and by substituting "rules 11(1A), (1B) and (1C) and rule 14(1)" therefor;

(b) in sub-paragraph (b), by deleting "8(2), 16 and 17" from the first line and by substituting "7(2), 15 and 16" therefor.

Amendment of Order 20.

9. Order 20 of the principal Rules is amended —

(a) in paragraph (6), of rule 3, by deleting "14(2)" from the fourth line and by substituting "13(2)" therefor;

(b) in paragraph (4) of rule 5, by deleting "counterclaim" from the second and fourth lines and by substituting "counter-claim" therefor.

Amendment of Order 22.

10. Order 22 of the principal Rules is amended, in the sub-heading to rule 2, by deleting "counter-claim" and by substituting "counter-claimed" therefor.

Amendment of Order 38.

11. Order 38 of the principal Rules is amended, in rule 26 —

(a) in paragraph (1), by deleting "proposed" from the second line and by substituting "propose" therefor;

(b) in paragraph (3) —

(i) by deleting "caross-examine" from the first line and by substituting "cross-examine" therefor;

(ii) by deleting "dierctions" from the second line and by substituting "directions" therefor.

Amendment of Order 45.

12. Order 45 of the principal Rules is amended —

(a) in sub-paragraph (a) of paragraph (1) of rule 5, by deleting "5" from the last line and by substituting "4" therefor;

(b) in rule 11, by deleting "27" from the first line and by substituting "47" therefor.

Amendment of Order 52.

13. Order 52 of the principal Rules is amended, in paragraph (3) of rule 5, by deleting "8" from the last line and by substituting "7" therefor.

Made this 28th. day of Jamadilawal, 1426 Hijriah corresponding to the 5th. day of July, 2005.

Dato Seri Paduka Mohammed Saied
Chief Justice,
Brunei Darussalam.