

LEGAL NOTICE No. 6

REPUBLIC OF TRINIDAD AND TOBAGO

THE PETTY CIVIL COURTS ACT, CHAP. 4:21

RULES OF COURT

MADE BY THE RULES COMMITTEE UNDER SECTION 53 OF THE PETTY CIVIL COURTS ACT, CHAP. 4:21

THE PETTY CIVIL COURTS (AMENDMENT) RULES, 1988

1. These Rules may be cited as the Petty Civil Courts (Amendment) Rules 1988. Citation

2. The Petty Civil Courts Rules are amended by revoking rule 8. Petty Civil Courts Rules amended

3. The Petty Civil Courts Rules are amended—
(a) by revoking rules 12 and 13 and substituting the following rules:

Service in the district "12. Any summons or other process or writ (other than a writ of execution) issued by a Court may be served, in the district of the Court out of which the same was issued, on each defendant—
(a) by the plaintiff or his agent; or
(b) by the bailiff of the said district.

Writs of Execution 12A. The bailiff of the district of the Court out of which any writ of execution is issued shall serve and execute the same.

Service out of district 13. Where any summons or other process or writ (other than a writ of execution) is required to be served in a district other than that out of which the same was issued, it may be served by the plaintiff or his agent, or the bailiff of the district in which it is to be served.

Service by bailiff 13A. Where any summons or other process or writ execution is required to be served or executed by the bailiff in a district other than that out of which the same was issued, the Clerk of the Court issuing the same shall transmit forthwith by post such summons or other process or writ of execution as the case may be, together with a copy thereof, to the bailiff of the Court of the district in which it is to be served, and that bailiff shall effect such service or execution as if the summons or other process or writ of execution had originally issued out of the Court of which he is bailiff";

(b) by inserting after "bailiff" in paragraphs (g) and (h) of rule 14 "or the person seeking to effect the service"; and

Substituted

(c) by revoking rule 16 and substituting the following rule:

Failure
to effect
service or
execution

“16. If any summons or other process or writ of execution is not served or executed within the time prescribed, the same shall be returned by the bailiff or the person who sought to effect the service to the Clerk of the Court out of which it was issued and where the bailiff returns the said summons or other process or writ of execution, the Clerk shall forthwith give notice to the plaintiff of such non-service or non-execution”.

Second
Schedule
amended

The Second Schedule of the Petty Civil Courts Rules is amended by deleting from Forms 1 and 2 the word “Bailiff” (last occurring) and substituting the words “Bailiff/Plaintiff/Plaintiff’s Agent”.

Made by the Rules Committee this 18th day of October, 1988.

C. BERNARD

Chief Justice

G. DES ILES

Judge of the Court of Appeal

R. HAMEL-SMITH

Judge of the High Court

S. RICHARDSON

Attorney General

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