

**EXTRAORDINARY
GOVERNMENT OF FIJI GAZETTE SUPPLEMENT**

No. 22

THURSDAY, 21st JUNE

2018

[LEGAL NOTICE NO. 35]

COURT OF APPEAL ACT 1949

Court of Appeal (Amendment) Rules 2018

IN exercise of the powers conferred on me by section 39 of the Court of Appeal Act 1949, I make these Rules—

Short title and commencement

- 1.—(1) These Rules may be cited as the Court of Appeal (Amendment) Rules 2018.
- (2) These Rules come into force on the date of publication in the Gazette.
- (3) In these Rules, the Court of Appeal Rules 1949 is referred to as the “Principal Rules”.

Rule 16 amended

2. The Principal Rules are amended by—
 - (a) after “every notice of appeal”, inserting “or application for leave to appeal”; and
 - (b) in paragraph (a) after “notice of appeal”, inserting “or an application for leave”.

Rule 27 amended

3. The Principal Rules are amended by deleting Rule 27 and substituting the following—

“Extension of time

27. The period for filing and serving a notice of appeal or an application for leave to appeal under Rule 16 may be extended by the court below or by the Court of Appeal.”.

Rule 39 amended

4. The Principal Rules are amended by deleting Rule 39 and substituting the following—

“Abandonment of appeal

39. An appellant, at any time after he or she has duly served a notice of appeal or a notice of application for leave to appeal, or a notice of application for extension of time within which under the Act such notice shall be given, shall apply to the Court of Appeal to abandon his or her appeal by giving notice of application to abandon the appeal in the Form 3 of Schedule 2 to the Registrar and to the Respondent.”.

Made this 20th day of June 2018.

W. D. CALANCHINI
President of the Court of Appeal