

LAWS OF GUYANA

FUNDAMENTAL RIGHTS (PRACTICE AND PROCEDURE) ACT

CHAPTER 3:03

**Act
13 of 1988**

Current Authorised Pages

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**Note
on
Subsidiary Legislation**

This Chapter contains no subsidiary legislation.

**CHAPTER 3:03
FUNDAMENTAL RIGHTS (PRACTICE AND PROCEDURE) ACT**

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Interpretation.
3. Practice and procedure of High Court in relation to matters referred to in article 153(6) (a) of the Constitution.
4. Practice and procedure of High Court and Court of Appeal in relation to matters referred to in article 153(6) (b) of the Constitution.
5. Practice and procedure of subordinate courts in relation to references to High Court under article 153(3) of the Constitution.

13 of 1988

**An Act to give effect to article 153(6) of the Constitution
and for matters connected therewith.**

[14th JULY,1988]

Short title.

1. This Act may be cited as the Fundamental Rights (Practice and Procedure) Act.

Interpretation.
c. 3:02

2. (1) In this Act "Rules Committee" means the Rules Committee referred to in section 59(1) of the High Court Act.

(2) Any power conferred by this Act to make rules with respect to the practice and procedure in relation to any application (whether by way of originating motion or writ of summons), appeal or reference shall be deemed to include power to make rules with respect to the time within which any such application, appeal or reference shall or may be made or brought.

Practice and procedure of High Court in relation to matters referred to in article 153(6) (a) of the Constitution.

3. (1) An application to the High Court for redress under article 153 of the Constitution may be made either by way of originating motion or by way of writ of summons.

(2) Subject to the provisions of subsection (1), the Rules Committee may make rules with respect to the practice and procedure of the High Court in relation to the jurisdiction and powers conferred upon the High Court by or under article 153 of the Constitution; and until such rules are made the rules with respect to the practice and procedure of the High Court, in so far as they apply to originating motions or writs of summons, as the case may be shall *mutatis mutandis* apply to, and in relation to, any originating motion or writ of summons referred to in subsection (1).

Practice and procedure of High Court and Court of Appeal in relation to matters referred to in article 153(6)(b) of the Constitution.

4. The Rules Committee may make rules with respect to the practice and procedure of the High Court and the Court of Appeal in relation to appeals to the Court of Appeal from decisions of the High Court in the exercise of the jurisdiction conferred upon the High Court by or under article 153 of the Constitution; and until such rules are made, the rules with respect to practice and procedure applicable to, and in relation to, appeals to the Court of Appeal from decisions of the High Court shall *mutatis mutandis* apply to, and in relation to, appeals to the Court of Appeal from decisions of the High Court in the exercise of its aforesaid jurisdiction.

Practice and procedure of subordinate courts in relation to references to High Court under article 153(3) of the Constitution.

5. The Rules Committee may make rules in respect of the practice and procedure of subordinate courts in relation to references to the High Court under article 153(3) of the Constitution.
