

Practice Direction 1 of 2017

1. This practice direction is to come into immediate effect from the signing date.
2. This practice direction is to apply to all parties, witnesses and Counsel, for Civil cases heard before (whether in Court or in Chambers):
 - a. Court of Appeal
 - b. High Court
 - c. Intermediate Court
 - d. Commercial Court
3. The following timelines are found from the Supreme Court Rules and previous Practice Directions and ought to be adhered to by parties:

No	Item	Order/Section	Timeline
STARTING A CLAIM (to close of pleadings)			
1.	Validity of writ	Order 6 r.7 (1)	Date of issue for 12 months
2.	Validity of current writ	Order 6 r.7 (1)	Remaining period of validity of original writ
3.	Extension of Writ	Order 6 r.7 (2)	12 months on the day following the expiry date
4.	Validity of Originating Summons	Order 7 r.6	12 months beginning from the date of issue
5.	Extension of Originating Summons	Order 7 r.6	12 months on the day following the expiry date
6.	Service of Notice of Motion	Order 8 r.2	2 clear days between service of motion and date of hearing
7.	Service of Petition	Order 9 r. 3 (2)	Not less than 7 days before the hearing date
8.	Filling of memorandum of service	Order 10 r.1 (4)	Within eight days of service of the writ
9.	Entering Appearance	Order 12 r.4 (a)	8 days after service of Writ including the date of service (unless extended)
10.	Application to set aside the writ	Order 12 r.7(1)	Within 14 days of entering the appearance
11.	Default of appearance to Writ- Claim for liquidated demand	Order 13 r.1(1)	After time limited for appearing i.e. 8 days after service of Writ

12.	Default of appearance to Writ- Claim for unliquidated damages	Order 13 r.2	After time limited for appearing i.e. 8 days after service of Writ
13.	Default of appearance to Writ- Claim in detinue	Order 13 r.3	After time limited for appearing i.e. 8 days after service of Writ
14.	Default of appearance to Writ- Claim for possession of immovable property	Order 13. r. 4	After time limited for appearing i.e. 8 days after service of Writ
15.	Default of appearance to Writ- Mixed claim	Order 13. r.5	After time limited for appearing i.e. 8 days after service of Writ
16.	Default of appearance to Writ- Other Claims	Order 13. r.6	After time limited for appearing i.e. 8 days after service of Writ
17.	Entering appearance in Counterclaim bringing in a third party	Order 15 r.3 (4)	8 days after service
18.	Discharge or variation of under Order 15 r.7	Order 15.r.7(5)	14 days after service of the order
19.	Amendments under Order 15 r.6	Order 15 r. 8 (1)	14 days after making of order
20.	Service of order to add a party as a defendant in an action for immovable property	Order15 r.10 (3)	The added defendant must serve a copy of the order on the plaintiff and enter appearance within 7 days of making of the order or otherwise
21.	Service of statement of claim	Order 18 r.1	Service with the writ Service spate from the writ no 14 days after defendant enters appearance
22.	Service of defence	Order 18 r.2	No later than 22 days after service of Writ and SOC. If SOC served separately 14 days after SOC is served.
23.	Service of reply and defence to counterclaim	Order 18 r.3	Reply to defence – 14 days after service of defence Defence to counterclaim – 14 days after service on the counter-claim
24.	Close of pleadings	Order 18 r.19	14 days after service of reply or service of defence to counterclaim (if not reply)

25.	Filing of defence upon service of an amended statement of claim before defence is filed	Order 20 r.3(2)(b)	14 days after service of amended statement of claim
26.	Filing of an a reply or amended reply upon service of an amended defence	Order 20 r.3(2)(b)	14 days after service of the amended defence
27.	Filing of an application for disallowance of amendment made without leave	Order 20 r.4	14 days after service of the amended pleading
28.	Expiry of time to amend upon a Court Order	Order 20 r.8	The document in question must be amended within 14 days after the order was made unless ordered otherwise
29.	Service of Notice of discontinuance of action without leave of the Court	Order 21 r.2	The claim may be discontinued 14 days after service of the defence or if two or more defendants, 14 days from the day the last defence was served
PRE-TRIAL PROCEEDINGS AFTER CLOSE OF PLEADINGS			
30.	Service of affidavit in support for Summary judgment	Order 14 r. 2 (3)	4 clear days before hearing date
31.	service of affidavit in support for application for summary judgment for counterclaim	Order 14 r.5 (2)	4 clear days before hearing date
32.	Service of summons for directions third party	Order 16.r.4(2)	Not earlier than 7 days after entering appearance
33.	An action where the defendant claims against a third party for: <ul style="list-style-type: none"> - Any contribution indemnity or indemnity - Claim connected to the original subject matter and substantially the same relief or remedy as the plaintiff 	Order 16.r.8 (4)	14 days after service of the notice on him

	- Determine question of law connected with the original subject matter that affects all parties		
34.	Issue of notice for claims by third and subsequent parties for claims begun by writ enjoined under Ord 16 r.1 and r.8 to other parties	Order 16.r.9(3)	Within 14 days after the expiry of time to enter appearance
35.	Entering judgment in default of defence for liquidated damages	Order 19 (2) (1)	No later than 22 days after service of Writ and SOC. If SOC served separately 14 days after SOC is served.
36.	Entering interlocutory judgment against the defence for damages to be assessed	Order 19(3) (3)	No later than 22 days after service of Writ and SOC. If SOC served separately 14 days after SOC is served.
37.	Entering interlocutory judgment for claims in detinue	Order 19 r.4 (3)	No later than 22 days after service of Writ and SOC. If SOC served separately 14 days after SOC is served.
38.	Entering judgment for possession of immovable property	Order 19 r.5 (1)	No later than 22 days after service of Writ and SOC.
39.	Entering judgment in respect of mixed claims	Order 19 r.6	If SOC served separately 14 days after SOC is served.
40.	Application to Court to enter judgment	Order 19 r.7	No later than 22 days after service of Writ and SOC.
41.	Entering judgment against a Counterclaim	Order 19 r.8	Defence to counterclaim – 14 days after service on the counter-claim
42.	Written acknowledgement by the plaintiff of Notice from the defendant of payment to Court a sum of money in satisfaction of the claim	Order 22 r.1(2)	3 days from receiving notice from the defendant
43.	Plaintiff's acceptance of money paid into court upon receipt of notice of the payment as satisfaction of the claim or part of the claim	Order 22 r.3(1)	14 days after receiving notice of money

44.	Plaintiff's acceptance of money paid into court upon receipt of notice of the payment as satisfaction of the claim or part of the claim when a trial has begun	Order 22 r.3(2)	2 days after receipt of the notice but before the Judge begins to deliver judgment
45.	Notice of payment that represents payment of hospital expenses	Order 22 r.12(2)	Notice to be given 7 days after payment is made to all parties to the action
46.	Time prescribed to accept an offer to settle	Order 22A r.3(1)	14 days after service of the offer
47.	Withdrawal of the offer to settle where the time is not specified	Order 22A r.3(2)	14 days from the date of service of the offer provided at least 1 day of notice of intention to withdraw is given.
48.	Discovery is take place by exchanging list of documents without an Order for discovery	Order 24 r.2(1)	14 days after pleadings have closed
49.	Application for summons for discovery under Order 24 r.5	Order 24 r.6	Summons to be filed 14 days after pleadings have closed
50.	Drawing up and filing affidavit in compliance of notice to make an affidavit verifying the list of documents	Order 24 r.7	14 days after service of the notice
51.	Service of Notice for the inspection of documents referred to in the list of documents in order to inspect the documents	Order 24 r.9	Notice is to state time within 7 days after service to allow inspection of documents
52.	Inspection of documents referred to in the pleadings and affidavits	Order 24 r.10	4 days after service of notice on the party giving notice stating time within 7 days after service to insect the documents.
53.	Time to provide copies of documents upon being served notice of request to supply true copies of the document/s	Order 24 r.11A (2)	7 days after receipt of the notice
54.	Filing of Summons for directions	Order 25 r.1	One month after the close of pleadings

55.	Filing of Summons for directions where there is an Order for discovery	Order 25 r.1 (3)	14 days after the expiration of the Order for discovery under Order 24 r.2
56.	Resuming a summons for direction that has not been given a new hearing date	Order 25 r.1(6)	2 days' notice to be given to the other party
57.	Service of Notice in Form 47 of a person served with the summons for directions who wishes to apply for any other order or directions that is capable of being dealt with on an interlocutory application	Order 25. r.7	Not less than 7 days before the hearing of the summons for directions
58.	Discovery of documents in personal injury actions (automatic directions)	Order 25 r.8 (1) (a)	14 days after the close of pleadings
59.	Inspection of documents (automatic directions)	Order 25 r.8 (1) (a)	7 days after discovery
60.	Written expert's report in a personal injury action (automatic directions)	Order 25 r.8 (1) (b)	10 weeks after the close of pleadings
61.	Setting down for trial	Order 25 (1) (e)	6 months after the close of pleadings
62.	Notice of admission upon setting down for trial	Order 27 r.2 (1)	No later than 14 days after setting down for trial
63.	Notice to deny admission	Order 27 r.4 (2)	14 days from inspection of documents
64.	Notice to admit authenticity of documents	Order 27 r.5(1)	14 days after setting down
65.	Notice to challenge authenticity of documents	Order 27 r.5(2)	14 days after service of Notice under Order 25 r.5(1)
66.	Plaintiff to file Affidavit evidence for originating Summons for inter parte hearings	Order 28 r. 1A(1)	14 days after service of acknowledgment of service of Originating Summons
67.	Plaintiff to file Affidavit evidence for originating Summons for ex-parte hearings	Order 28 r. 1A(2)	Not less than 4 clear days before the hearing

68.	Service of copies of affidavit evidence already filed in Court on the defendant in inter-parte summons	Order 28 r. 1A(3)	No later than 14 days after service has been acknowledged
69.	Filing and service of affidavit evidence by defendant	Order 28 r. 1A(4)	28 days after service of plaintiff's affidavit evidence
70.	Filing and service of further affidavit in reply by plaintiff	Order 28 r. 1A(5)	14 days after service of the defendant's affidavit
71.	Service of Notice of appointment to hear originating summons	Order 28. r.3(1)	4 clear days before the hearings
72.	Service of affidavit in support of an originating summons	Order 28. r.3(3)	Not less than 4 days before the hearing
73.	Filing of affidavit in support of originating summons	Order 28. r.3(4)	Not less than 4 clear days before the hearing
74.	Application by plaintiff for interim payment	Order 29 r.10 (1)	8 days after service of the writ
75.	Service of summons in chambers for an order for interim payment together with an affidavit in support	Order 29 r.11 (4)	Not less than 10 days before the return date for the summons in chambers
76.	Service of summons in chamber for the extension or abridgment of time	Order 32 r.3	One day before the hearing
77.	Service of summons in chamber for all other applications	Order 32 r.3	Not less than 2 clear days before the hearing
78.	Notice of resumption of hearing of an adjourned summons in chambers	Order 34 r.4 (2)	2 clear days' notice to all other parties
79.	Notification of setting down	Order 34 r.5	24 hours after setting down
80.	Notice of trial	Order 34 r.7	Any time after reply has been delivered or after time for delivery of a reply has expired
81.	Application to dismiss for want of prosecution due to failure of filing notice of trial	Order 34 r.8	Within 6 weeks from the filing of the reply

82.	Identifying documents to be included in the Court bundle (defendant)	Order 34 r. 9 (1)	14 days before the trial
83.	Filing of Court bundle (plaintiff)	Order 34 r.9 (2)	2 days before trial
84.	Service of appointment to hear assessment of damages	Order 37 r.1	7 days before the hearing
85.	Notice from plaintiff of acceptance of defendant's offer	Order 37 r.9 (3)	No later than 21 days after receiving the offer
86.	Notice of application for further damages pursuant to provisional damages awarded	Order 37 r.10 (3)	3 months written notice
87.	Service of written statement of oral evidence to be adduced at trial	Order 38 r. 2A (2)	Within 14 weeks of the of the hearing of the summons unless directed otherwise
88.	Inspection of photograph or model used as evidence at trial	Order 38 r.5	10 days before commencement of trial
89.	Service of writ of subpoena	Order 38. r.18 (1)	12 weeks before trial
90.	Hearsay notice to be given which has been set down for trial	Order 38. r.24 (4) (a)	28 days after being set down for trial unless otherwise directed
91.	Hearsay notice for all other matters	Order 38. r. 24 (4) (b)	28 days after the appointment for the first hearing unless otherwise directed
92.	Notice of cross examination on hearsay evidence	Order 38. r.	28 days after service of hearsay notice
93.	Notice to party to attack the credibility of the person who made the hearsay notice	Order 38. r.	28 days after service of hearsay notice
POST TRIAL BEFORE EXECUTION			
94.	Application to set aside judgment in default of appearance before the hearing	Order 35 r.2 (2)	No later than 7 days after the trial
95.	Approval of draft judgment to be submitted to solicitor of the other party	Order 42 r.8	2 days after receipt of the draft unless otherwise directed

96.	Drawing up of order due by other (loosing) party due to failure by the party whose favour the order has been made	Order 42 r.10 (4)	7 days after the order is made
97.	Request for duplicate or judgment or order from Court	Order 42 r.11 (1)	One clear day after filing order or judgment
98.	Application to discharge, vary or add to the judgment by an interested party	Order 44 r.3 (5)	One month after service of the Notice of judgment on the interested party (not a party to an action)
99.	Written statement of objection/s to draft judgment requiring deed to be settled by Court	Order 44 r. 8 (b)	8 days after service of the draft unless otherwise directed
100.	Taking of affidavit verifying list of claims and debts of a deceased person for the purposes of examining the debts and liabilities of the estate of a deceased person	Order 44 r. 12 (1) (b)	7 clear days before the time appointed for adjudicating the claims
101.	Taking of affidavit verifying list of claims for an inquiry for the next of kin or other unascertained claimant	Order 44 r. 12 (2) (b)	7 clear days before the time appointed for adjudicating on claims
102.	Filing of affidavit in support where notice to a claimant to attend and prove his claim or furnish further evidence	Order 44 r. 13	7 days after service of the notice
103.	Summons for an application to discharge or vary Registrar's certificate pursuant to Order 44 r.22	Order 44 r. 23 (1) (a)	8 clear days after filing Registrar's certificate
104.	Summons for an application to discharge or vary Registrar's certificate to be acted upon by the Treasury	Order 44 r. 23 (1) (b)	2 clear days after filing of the certificate
105.	Issuance of summons for further consideration of the cause or matter in	Order 44 r.24 (1) (i) & (ii)	No earlier than 8 clear days of filing of registrar's certificate but no more than

	chambers pursuant to Order 24 r. 1 (a), (b) or (c)		14 days after the filing of the registrar's certificate
106.	Service of summons for further consideration of the cause or matter in chambers pursuant to Order 24 r. 1 (a), (b) or (c)	Order 44 r.24 (2)	6 days between service of the summons and the hearing date
107.	Issuance of summons for further consideration of the cause or matter in chambers pursuant to Order 25 r.1 (a) or (b)	Order 25 (1) (i) & (ii)	No earlier than 8 clear days of filing of registrar's certificate but no more than 14 days after the filing of the registrar's certificate
108.	Taxation: Offer to settle costs	Order 59 r.7A (2)	Within 7 days of receiving the bill of costs
109.	Taxation: Payment of defendant's taxed costs upon pursuant to a withdrawal of the suit without leave of court	Order 59 r.10 (1)	Within 4 days of the taxation otherwise defendant may sign judgment for the costs
110.	Taxation: When plaintiff's costs may be taxed after filing notice of payment in satisfaction of claim to the Court	Order 59 r.10 (2)	4 days after payment is made
111.	Taxation: When plaintiff may sign judgment for taxed costs pursuant to a notice of payment in satisfaction of claim	Order 59 r.10 (2)	48 hours after taxation
112.	Taxation: Registrar to give notice of date of taxation hearing	Order 59 r.21 (1)	Not less than 7 days before date of hearing
113.	Taxation: Service of bill of costs to all parties entitled to be heard in the taxation hearing	Order 59 r.22	Within two days of receiving the Registrar's notice
114.	Taxation: Registrar's notice of date of taxation hearing on the short and urgent taxation list	Order 59 r.23 (1)	Forthwith upon satisfaction that time for taxation is likely to be short because of the amount claimed and speedy completion of taxation is necessary
115.	Taxation: Delivery to Registrar of bill of costs	Order 59 r.23 (2)(a)	When proceedings are entered on the list

	for taxation on the short and urgent taxation list		
116.	Taxation: Service of bill of costs and Registrar's notice to all parties entitled to be heard in the taxation hearing list on the short and urgent taxation list	Order 59 r.23 (2)(b)	Not less than 2 days before date of hearing
117.	Taxation: Application for review of Registrar's decision in taxation hearings together with written objections	Order 59 r.34 (2)	Within 14 days after the decision or other shorter period fixed by the Registrar
118.	Taxation: Reply to written objections by applicant for review of taxation decision	Order 59 r.34 (4)	Within 14 days after delivery of the written objections
119.	Taxation: Request for reasons for decisions to be included in Registrar's certificate upon review of objected decisions	Order 59 r.35 (3)	Within 14 days after the review or such shorter period as fixed by the Registrar
120.	Taxation: Appeal to Judge in Chambers upon review of Registrar's decision	Order 59 r.36 (2)	Within 14 days of Registrar's certificate being signed or other longer period allowed by the Registrar or court
121.	Service of copies of written or type-written documents used in the High Court for parties entitled to a copy	Order 63 r.3 (3)	Within 48 hours of a written request and upon payment of necessary charges
122.	Application to remit or set aside an award given by an Arbitrator	Order 69 4(2)	6 weeks after the award has been made and published to the parties
POST TRIAL PROCEEDINGS - EXECUTION			
123.	Notice from execution creditor to sheriff admitting or disputing interpleader claim	Order 17 r.2(2)	Within 4 days of receiving the notice
124.	Service of Interpleader summons	Order 17 r.4	Served at least 7 days before the hearing
125.	Validity of Writ of execution	Order 46 r. 6	12 months from the date of issue
126.	Service of Summons on application to enter satisfaction of debt	Order 46 r. 10 (2)	2 clear days before the hearing

127.	Payment of costs of execution where Sheriff is in possession of movable property more than 14 days	Order 46 r.12	At the end of the first 14 days and at the end every subsequent 14 days
128.	Service summons and affidavit in support for application for writ and seizure and sale	Order 47 r.1 (4)	4 clear days before the hearing date
129.	Issuance of writ to enforce payment of taxed costs separately from writ of seizure of sale	Order 47 r.2 (1)	No less than 8 days after the issuance of the first writ of seizure and sale
130.	Validity of prohibitory Order	Order 47 r.6 (4)	2 years from the date of the order
131.	Service of notice in writing of an appointment to obtain approval of Judge for sale of immovable property by sheriff	Order 47 r. 7 (b)	2 clear days
132.	Service of Garnishee Order to Show Cause to judgment debtor and garnishee	Order 49 r. 3 (1)	No less than 7 days before the date of hearing
133.	Service of summons on an application for payment to judgment creditor monies in court standing in credit to the judgment debtor	Order 49 r.9 (3)	No less than 7 days before the date of hearing
134.	Service of Order Imposing Charge on Securities: Order to Show Cause to judgment debtor	Order 50 r.4 (1)	Not less than 7 days before the date of hearing
135.	Service of notice of motion for an order for committal and affidavit in support to the person whose committal is sought	Order 52 r.3 (1)	No less than 8 days before the date of hearing
136.	Validity of leave to apply for an order for committal	Order 52 r.3 (2)	14 days

137.	Application to discharge or vary an order on behalf of a person under disability	Order 73 r. 7 (a)	14 days after service
138.	Application to discharge or vary an order on behalf of a person under disability	Order 73 r. 7 (b)	14 days after the appointment of a friend or guardian
139.	Service of application for summary judgment together with affidavit in support	Order 77 r. 2 (3)	4 days before the return date
140.	Notice of intention to Register the transfer in order to enforce registered debenture or registered debenture stock	Order 78 r. 2	No less than 7 days after reply a reply from the registered holder in the ordinary course of post reach the receiver
141.	Service of copy of notice for appointment to hear an originating summons for claim for possession or payment of money secured or charged	Order 79 r. 2 (2)	4 clear days before the day fixed for the first hearing
142.	Notice of appointment of adjourned hearing with any further affidavits	Order 79 r. 2 (4)	2 clear days before the hearing.
143.	Application for an order that any omission to register a bill of sale or an affidavit of renewal be rectified by extending the time for such registration	Order 81 r. 1 (1) (a)	
144.	Filing of affidavit verifying a list containing the name and address of every creditor entitled to claim and amount and total due upon order made in the Summons for directions	Order 83 r.8 (1)	7 days after the making of the order
145.	Leaving of the list at the Registry	Order 83 r.8 (3)	No later than 1 day after the affidavit is filed
146.	Posting of notice to creditors list exhibited in the affidavit	Order 83 r. 10	7 days after filing the affidavit

147.	filing of affidavit upon receipt of notice of adjudication of disputed claims	Order 83 r. 13 (a)	Not less than 4 clear days after a service of the notice
APPEALS			
148.	Appeal from Magistrate's Court: Filing of Memorandum of Appeal in the High Court by the appellant	Order 55 r.2 (1)	Within 14 days after receiving notice of the appeal
149.	Appeal from Magistrate's Court: Service of copies of the Memorandum of Appeal and copies of the appeal record to the respondent	Order 55 r.2 (2)	Within 14 days after the appellant's receive notice of the appeal
150.	Appeal from Magistrate's Court: Filing and service to appellant of notice of cross-appeal	Order 55 r.3	Within 7 days of service of the memorandum of appeal
151.	Appeal to Judge in Chambers: Issuance of notice of appeal	Order 56 r.1 (3)	Within 5 days after judgment
152.	Appeal to Judge in Chambers: Service of notice of appeal	Order 56 r.1 (3)	No less than 2 days before the date of hearing
153.	Appeal to Court of Appeal: Filing and service of notice of appeal	Order 57 r.4 (1)	Within one month from judgment or order or refusal
154.	Appeal to Court of Appeal: Filing and service of petition of appeal	Order 57 r.6 (1)	Within one month after service of the notice of appeal
155.	Appeal to Court of Appeal: Filing and service of respondent's notice	Order 57 r.7 (4)	If for an interlocutory order, within 7 days after service of the petition on the respondent. In any other case, within 14 days of service of the petition on the respondent
156.	Appeal to Court of Appeal: Amendment to petition of appeal or respondent's notice	Order 57 r.8	With leave of Court, at any time. Without leave, by way of supplementary petition filed

			and served at least 10 days before the date of hearing
157.	Appeal to Court of Appeal: Filing and service of Record of Appeal	Order 57 r.9 (1)	Within 10 days of filing of the petition of appeal
158.	Appeal to Court of Appeal: Notification of an objection by the respondent to the inclusion/exclusion of a document in the record of appeal	Order 57 r.9 (3)	Within 48 hours of receiving the draft index of documents
159.	Motion to the Court of Appeal: For leave to appeal (except where appeal has been time barred) where leave was refused by the Court below	Order 57 r.16 (3)	Within 7 days of the refusal
ADMIRALTY PROCEEDINGS			
160.	Payment of bail to prevent the arrest of property in Admiralty proceedings	Order 70 r.5 (1) (b)	3 days after receiving notice of the main action
161.	Validity of warrant of arrest in action <i>in rem</i>	Order 70 r.9 (1)	12 months beginning from the date of its issue
162.	Validity of caveat in an action <i>in rem</i>	Order 70 r. 14 (1)	6 months beginning with the date of its entry
163.	Filing of bail bond together with the affidavits and an affidavit proving service of the notice of bail in an action <i>in rem</i>	Order 70 r.15 (4)	24 hours after service of the notice of bail
164.	Filing of 'preliminary act' in an action <i>in rem</i>	Order 70 r.17 (1)	Plaintiff – 2 months after issue of writ Defendant- 2 months after entering appearance
165.	Notice of party who intend to rely on the defence of compulsory pilotage in an action <i>in rem</i>	Order 70 r. 17 (3)	7 days after the opening of the 'preliminary act'.

166.	Service of statement of claim by plaintiff to each defendant	Order 70 r. 17 (5)	14 days after the latest date on which the 'preliminary act' of any party to the action is filed.
167.	Judgment against defendant in an action <i>in personam</i> who has failed to lodge a 'preliminary act'	Order 70 r. 18 (2)	2 months after entering appearance
168.	Application for motion for judgment against a defendant who has failed to lodge a 'preliminary act' in an action <i>in rem</i>	Order 70 r. 18 (3)	2 months after entering appearance
169.	Application for judgment in default where a writ is issued under Order 70 r. 7 (4) on a party whose instance a caveat against was arrest was issued and has failed to fulfil the undertaking given by him	Order 70 r. 20 (1) (b)	14 days after service of the writ
170.	Application for Judgment in default to an action <i>in rem</i> where the defendant fails to enter an appearance and an affidavit proving service , affidavit verifying the facts and statement of claim has been filed	Order 70 r. 20 (3)	14 days after service of the writ

171.	Application for Judgment in default to an action <i>in rem</i> where the defendants fails to serve a defence and plaintiff has filed an affidavit stating no defence was served	Order 70 r. 20 (4)	No later than 22 days after service of Writ and SOC. If SOC served separately 14 days after SOC is served.
172.	Application for Judgment in default to a counterclaim in an action <i>in rem</i> where the plaintiff fails to serve a defence and defendant has filed an affidavit stating no defence to the counterclaim was served	Order 70 r. 20 (5)	Defence to counterclaim – 14 days after service on the counter-claim
173.	Application to Court for an order determining the order of priority of the claims against the proceeds of sale of the ship in an action <i>in rem</i> where the Court has ordered that the ship be sold	Order 70 r. 21 (1) (a) Order 70 r. 21 (2) (a)	90 days after the proceeds of sale are paid into Court
174.	Service of hearing of application by motion to extend period under Order 70 r. 21 (2) (a) for an action <i>in rem</i>	Order 70 r. 21 (6)	3 days before the hearing date
175.	Setting down for trial where an application has been filled to fix a date or a date has been fixed for trial under Order 70 r. 33,	Order 70 r. 25 (2)	No later than 7 days after a date for trial has been fixed

176.	Filing of praecipe for attendance together with relevant copies of any pleadings, preliminary acts, notices and statements	Order 70 r. 25 (3)	Not less than 7 days before the date fixed for trial
177.	Filing and service of notice of motion for the apportionment of salvage the aggregate amount which has already been ascertained together with the affidavits in support	Order 70 r. 31 (2)	7 days before the hearing of the motion unless otherwise directed
178.	Filing and service of a notice of motion together with the affidavits in support for any action except for an action under Order 70 r.31 (2)	Order 70 r. 32	3 days before the hearing of the motion unless otherwise directed
179.	Application by summons for a decree limiting liability or directions as to the further proceedings where a defendant fails to enter an appearance	Order 70 r. 36 (1)	Within 7 days after the time limited to enter an appearance
180.	Service of the for a decree limiting liability or directions as to the further proceedings	Order 70 r. 36 (4)	7 clear days before hearing of the summons
181.	Filing of notice where Registrar does not make a decree limiting the plaintiff's liability	Order 70 r. 36 (8)	Immediately upon the making of the order
182.	Filing a service of claim for reference to Registrar	Order 70 r. 39 (1)	2 months after order is made

183.	Application by summons for directions as to the proceedings on the reference	Order 70 r. 39 (2)	28 days before the appointed hearing of the reference
184.	Filing praecipe requesting the entry of the reference in the list for hearing where the reference is in a limitation action	Order 70 r. 39 (5)	No later than 7 days after an appointment for the hearing of a reference has been made
185.	Filing and service of list, affidavits and other documentary evidence for hearing of reference	Order 70 r. 39 (6)	Not less than 14 days before the day appointed for the hearing of the reference
186.	Written request to file statement of grounds of the Registrar's decision	Order 70 r. 40 (5)	14 days after the filing of the decision
187.	Filing of motion in objection to Judge in Court to set aside or vary Registrar's decision	Order 70 r. 41 (1)	14 days after date on which notice of the filing of the decision was sent to the party
188.	Filing of Affidavit of testamentary script in contentious probate matters	Order 72 r. 9 (2)	14 days after entry of appearance by defendant
189.	Service of statement of claim in contentious probate matters	Order 72 r.11	6 weeks before expiration after entry of appearance or 8 days after the filing of an Affidavit of testamentary script whichever is the later
190.	Filing of case for motion with and affidavit verifying the statement of fact in a probate matter	Order 72 r. 17 (a)	7 clear days before the day on which the motion is to be heard

191.	Service of case for motion with and affidavit verifying the statement of fact in a probate matter	Order 72 r. 17 (b)	5 clear days before that day
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Adjournments

4. Any application for an adjournment of a trial, when possible, ought to be made 21 days before the commencement of the trial.
5. Adjournment of hearings other than trials - Subject to the directions of the Court, the application is to be made at least five working days before the hearing, setting out the reasons for the adjournment of the hearing.

Absence

6. Absence from court - If any party to the proceedings, is required to attend the Court and wishes to excuse himself from attendance in Court on medical grounds, the party must provide the Court with an original medical certificate within 24 hours of the scheduled hearing.
7. Absence on any other ground - An application to be excused from attendance before the Court must be given in writing at least 5 working days before the date of appearance in Court.
8. Absent without reason - Any party that has failed to attend Court must give the reasons for absence in writing with any supporting document(s) within 1 working day from the day of his absence.

Request for interpreters (Malay-English-Chinese)

9. The requesting party must send a written request addressed to the appropriate Chief Interpreter or Court Legal Assistant at the relevant Registry not less than 7 days before the day on which the services of an interpreter is required.

Request for interpreters for other languages

10. The requesting party must send a written request addressed to the appropriate Chief Interpreter or Court Legal Assistant at the relevant Registry not less than 4 weeks before the day on which the services of an interpreter are required.

Production of record of hearing

11. Requests for copies of the record of hearing or transcripts of the record of hearing shall be made at least 7 working days before the scheduled hearing. In the event that no requests are made prior to the scheduled hearing, any requests thereafter should be made at least 21 days before the record of hearing or transcripts are required.

Translations

12. Requests for translations of documents should be sent 4 weeks before the date the translations are required, unless there are exceptional reasons justifying non-compliance. Such reasons should be given in writing to the appropriate Court Registry or Court Translation Unit.

Non-adherence to the prescribed timelines

13. In the event parties are unable to agree on any variation to the timelines under the Supreme Court Rules, the party seeking the variation is to file a Summons In Chambers together with the affidavit in support of the application.
14. If parties are able to agree on any variation to the timelines, they are to file into court copies of the letters agreeing to such variation.
15. Where parties have not complied with the timelines, they are to provide to the Registrar in charge of the case with a written explanation which should be filed into court no later than the day after the timeline lapsed.

Dato Seri Paduka Hj Kifrawi Dato Paduka Hj Kifli

Chief Justice

8th April 2017