

Seychelles

Companies Ordinance, 1972

Companies (Appeal to the Supreme Court) Rules, 1972

Statutory Instrument 93 of 1972

Legislation as at 1 December 2014

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Companies (Appeal to the Supreme Court) Rules, 1972

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Seychelles

Companies Ordinance, 1972

Companies (Appeal to the Supreme Court) Rules, 1972

Statutory Instrument 93 of 1972

Commenced on 7 August 1972

[This is the version of this document at 1 December 2014.]

[S.I. 93 of 1972]

1.

These rules may be cited as the Companies (Appeal to the Supreme Court) Rules, 1972.

2.

In these rules unless the context otherwise requires#

"**attorney**" means an attorney admitted to practise in the Supreme Court;

"**court**" means the Supreme Court of Seychelles;

"**the Ordinance**" means the Companies Ordinance, 1972 ;

"**the Registrar**" means the Registrar of the Supreme Court and includes an Assistant Registrar;

"**the registry**" means the registry of the Supreme Court.

3.

These rules shall apply in all cases where an appeal lies to the court from a decision, order, act or omission of the Registrar of Companies under the provisions of the Ordinance.

4.

The Registrar of Companies shall be respondent to all such appeals.

5.

Any person appealing to the court shall file his notice of appeal in the registry within such time as may be specified in the Ordinance and where no such time is specified within fourteen days from the decision, order, act or omission complained of.

6.

- (1) The notice of appeal shall set forth the grounds of appeal and shall be signed by the appellant or his attorney. It shall contain a short statement of the facts and of the points of law which are for determination by the court.
- (2) On filing the notice of appeal the appellant shall leave a further copy of such notice at the Registry for service on the respondent.

7.

The respondent shall within fourteen days of the service on him of the notice of appeal file in the registry an answer thereto together with one copy for service on the appellant. The answer shall be signed by the respondent or his attorney.

8.

The court may, before or after the expiration thereof, extend the time for filing the answer.

9.

The court may of its own motion or on the application of either party order further or better particulars of the notice of appeal or of the answer.

10.

After the answer has been filed by the respondent, the Registrar shall fix a date for the hearing of the appeal.

11.

On the application of either party the court may grant leave to amend the notice of appeal or the answer, as the case may be, on such terms as to the court may seem fit.

12.

The court may summon and examine any person as a witness and may order the production of any book or document.

13.

The rules of evidence which apply in civil cases before the court shall apply in all appeals under these rules.

14.

The fees payable in respect of an appeal under these rules shall be those set out in the First Schedule to the Court Fees (Supreme Court) and Costs Ordinance (Chapter 76) which shall apply *mutatis mutandis*.

15.

The court may make such order as to the whole or any part of the costs of an appeal under these rules as may be just and may assess the same or direct taxation thereof.

16.

These rules shall come into operation on the date of their publication in the *Gazette*.