



**THE SUPREME COURT OF BERMUDA  
PRACTICE DIRECTION**

**ISSUED BY THE CHIEF JUSTICE**

**Ref. A/50**

**Tuesday, 19<sup>th</sup> May 2015**

**CIRCULAR NO. 11 OF 2015**

**CIVIL APPLICATIONS ON THE PAPERS**

1. The Court has received a number of requests from counsel to entertain non-controversial applications on the papers without counsel being required to appear in Chambers. The Court would like to facilitate a saving of costs to civil litigants by streamlining the way in which ex parte applications which appear to be non-controversial are dealt with.
2. Having consulted with the Bermuda Bar Council, ex parte applications in the following categories of matters may now be dealt with on the papers subject to the conditions set out below:
  - (1) ex parte applications to renew originating process or writs of execution;
  - (2) ex parte applications by judgment creditors for an examination of the debtors as to their means;
  - (3) petitions for the restoration of companies to the register (Order 102 rule 5(1)(i));
  - (4) any other ex parte applications which the applicant reasonably considers to be uncontroversial.
3. Save where the context otherwise requires, the following practice shall apply:
  - (1) the applicant shall file the relevant application supported by an affidavit under cover of a letter requesting an ex parte hearing on the papers and satisfying the applicant's duty to make full and frank disclosure;
  - (2) the assigned judge shall in each case consider whether justice requires an oral and/or a public hearing despite the fact that a hearing on the papers has been requested.
4. The present Practice Direction is without prejudice to any other category of case where the Court is ordinarily requested to make an order without an oral hearing.
5. For the avoidance of doubt, the requirement for an appearance on applications for trial directions required by paragraph 3(i) of the Practice Direction on Civil Procedure of May 25, 2006 shall, for the time being, continue apply.

Dated this 19<sup>th</sup> of May 2015

BY ORDER OF THE COURT  
  


