GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 65 OF 2016

The Court of Appeal Act, 2016

(Act No. 7 of 2016)

The Court of Appeal Rules, 2016

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SCHEDULES

IN EXERCISE of the powers contained in section *thirty* of the Court of Appeal Act, 2016, the following Rules are made:

1. These Rules may be cited as the Court of Appeal Rules, 2016. Title

2. (1) In these Rules, unless the context otherwise requires— Interpretation

"appellant" includes an applicant;

"Court" means the Court of Appeal, and includes a single judge hearing an interlocutory matter;

"court below" in relation to an appeal to the Court, includes the High Court, a subordinate court, local court or a quasijudicial body, except a local government elections tribunal;

"case management system" means the system used by the Master and the Court to schedule, assign and track cases;

"conventionally file" means the act of filing or serving of paper documents;

"document management system" means the electronic document storage and imaging system maintained by the Master;

"direct appeal" means an appeal directly from a subordinate court to the Court in terms of section 14 of the Act;

"e-filing" means electronic transmission of an original document to the Court;

"electronic service" means the electronic transmission of a document to parties as required by a written law and rules of a court and as designated by the filing party;

"electronic document" means an original document filed with the Master in electronic format;

"filing" means the act of submitting documents electronically or in paper form to the Master;

"first appeal" means an appeal against a judgment of the High Court in the exercise of its original criminal jurisdiction and against a judgment of a subordinate court in the case of a direct appeal;

"hyperlink" means an electronic connection or reference to another place in a document such that when selected, the user is taken to the portion of the document to which the hyperlink refers;

"ID" means a unique user identification;

"notice of appeal" in relation to a criminal appeal, means a notice lodged in accordance with Order IX and in relation to a civil appeal, means a notice lodged in accordance with Order X;

Cap. 97

"officer-in-charge of the prison" means the person appointed to be, or deemed to be, in charge of a prison under section 5 of the Prisons Act;

"parties" includes a plaintiff, defendant or a practitioner representing a plaintiff or defendant;

"PDF" means portable document format, a file format that preserves all fonts, formatting colours and graphics of any source document regardless of the application platform used;

"presiding judge" in relation to the hearing of an appeal, application in the appeal or the delivery of a judgment on the appeal, means the senior judge of the Court as constituted for that appeal or application;

"proceedings" in relation to an appeal to the Court, includes the proceedings at first instance in respect of which the appeal is brought, any proceedings subsequent to the appeal by way of appeal and all applications relating to the proceedings;

"register" in relation to the registration of any proceedings in the Court, means the appropriate register, in electronic and hard copy format, kept by the Master for the registration of the proceedings;

Act No. 23 of 2016

"Registrar" has the meaning assigned to it in the Judiciary Administration Act, 2016;

"Registry" means a registry of the Court of Appeal;

"respondent" means—

(a) in relation to a criminal appeal, a person served with a notice of appeal or application, notice of motion or summons, or entitled to be so served, and includes, in relation to a criminal offence, the Director of Public Prosecutions; and

(b) in relation to a civil application, a person on whom a notice of motion has been served and in relation to a civil appeal, includes a person on whom a notice of appeal has been served and any person, other than the appellant, on whom a notice of cross-appeal has been served;

"respondent's notice" means the notice of crossappeal which a respondent gives in accordance with Order X;

"scanned document" means an electronic image created by scanning a paper document;

"second appeal" means an appeal against a judgment of the High Court in the exercise of its appellate jurisdiction;

"source document" means the document as originally submitted to the Master for filing;

"single judge" means a single judge of the Court; and

"TIFF" means a Tag Image File Format, a standardised file format used to store imaged documents.

(2) In these Rules, unless the context otherwise requires, in a direct appeal—

(a) a reference to the High Court shall be read as a reference to the subordinate court whose judgment is the subject of the appeal;

(b) a reference to the trial judge shall be read as a reference to the trial magistrate; and

(c) a reference to the Registrar shall be read as a reference to the clerk of the subordinate court in question.

ORDER I

PRACTICE AND PROCEDURE

Applicability of English Practice and Procedure Cap. 88

1. The jurisdiction vested in the Court shall, as regards practice and procedure, be exercised in the manner provided by the Act and these Rules, the Criminal Procedure Code or any other written law, or by such rules, orders or directions of the Court as may be made under the Act, the Criminal Procedure Code or any other written law, and in default thereof in substantial conformity with the Supreme Court Practice, 1999 (White Book) of England and the law and practice applicable in England in the Court of Appeal up to 31st December, 1999 and in relation to criminal matters, as nearly as may be in accordance with the law and practice for the time being observed in the Court of Criminal Appeal in England.

Cap. 88

ORDER II

REGISTRY AND FILING

Registry

1. (1) The Registry shall be situate at Lusaka and in each province that the Chief Justice may direct.

(2) Where the Court is sitting as a circuit court in a province, for purposes of an application or an appeal to be heard in that place, the Registry shall be considered to be situate in that province.

(3) The Registry shall maintain a physical and an electronic register of documents.

(4) The Master shall maintain a register of pleadings, motions, memoranda, orders and other documents filed electronically in a matter as the original and official record of the Court.

(5) A person may conduct an electronic or manual search of the register upon payment of the prescribed fee.

Filing of proceedings

2. (1) A person shall institute proceedings in the Court by filing the appropriate documents in the Registry or electronically.

(2) A document filed in relation to any proceedings in the Court shall be filed in the Registry or electronically.

(3) The Master shall, upon an appeal being lodged in the Registry, assign a serial number to the appeal and enter the—

(a) title of the matter;

(b) name of the appellant and appellant's practitioner, if any;

(c) name of the respondent and respondent's practitioner, if any; and

(d) date of the entry.

(4) A document required to be filed in the Registry shall not be accepted by the Registry unless the prescribed fees have been paid.

(5) The general heading of the proceedings before the Court shall be substantially in Form I set out in the First Schedule.

Signature of documents

3. (1) A document may be signed on behalf of the person making it or by any person entitled under Order VI to appear on that person's behalf.

(2) A person may append that person's mark or thumb print to any proceedings in place of a signature.

(3) In criminal appeals, a document may be signed on behalf of an appellant, who is alleged to have a mental disability, by a person in whose care that person may be for the time being, including a medical officer, police officer or prisons officer.

Copies

4. Except as otherwise provided under these Rules, where any document is required to be filed in Court, there shall be filed four copies of such document, but the Master may, in any case, order that a greater or lesser number of copies be filed.

Acts done on Saturday, Sunday or public holiday

5. An act required to be done by a person on a date which falls on a Saturday, Sunday or public holiday shall be valid and effective if done on the next following day not being a Saturday, Sunday or public holiday.

Hours for lodging documents

6. (1) The Registry shall be open for receipt of documents from 09:00 to 12:00 hours and from 14:00 to 15:00 hours.

(2) A document electronically filed during the time when the Registry is not open for receipt of documents shall be deemed to be filed at the time when the Registry is open for receipt of documents.

ORDER III

Electronic Documents and E-Filing

Electronic format of document Act No. 21 of 2009

1. Section 5 of the Electronic Communications and Transactions Act, 2009, shall apply where under these Rules a notice, record or other document is required to be in writing.

General e-filing

2. (1) Subject to rule 3, where a matter requires the filing of a document, that document may be filed electronically.

(2) A party appearing in person may file documents using efiling or conventional filing.

Documents permitted to be e-filed

3. The following types of documents shall be conventionally filed:

(a) documents filed under seal;

(b) audio recordings not expressly authorised by the Court, in writing, to be filed electronically; and

(c) affidavits of service for conventionally served or filed documents.

E-filing implementation

4. The Master shall maintain in electronic format an appeal, application, a pleading, motion, summons, memorandum, order or other document electronically filed as the original and official record of the Court.

Format of e-filed documents

5. (1) A filing party shall ensure that an electronically filed document is formatted in accordance with the applicable rules governing formatting of paper documents, rules of procedure and such other formats as the Court may require.

(2) The Master shall not reject a document if it substantially conforms to the rules of procedure or a written law.

Accepted file formats

6. (1) A party may electronically transmit a document in Microsoft Word, Microsoft Works, Microsoft Excel, Rich Text Format, WordPerfect, Portable Document Format and any standard non-proprietary graphic formats.

(2) All documents electronically filed shall, upon acceptance and filing by the Registrar, be converted to Portable Document Format in compliance with the requirements set out in these Rules.

(3) The Court may require a party to produce the original of a scanned exhibit that has been filed electronically by the party.

(4) A party shall ensure that a proposed form of order is submitted electronically in a Microsoft Word file format.

Hyperlinks, bookmarks and other electronic navigational aids

7. (1) An electronically filed document may include hyperlinks, bookmarks and other electronic navigational aids for the convenience of the Court.

(2) A hyperlink shall not form part of the filed document.

(3) A hyperlink shall contain a text reference to the target of the link.

(4) Despite anything contained in these Rules, a hyperlink shall not form part of the official Court record and shall not be preserved in an electronically filed document submitted and stored on the Master's electronic document management system.

User ID and electronic signatures

8. (1) The Master shall ensure that every party and practitioner is registered and provided with a personally selected user name (ID) and password.

(2) The user name referred to in subrule (1) shall, when used in conjunction with the personally selected password, constitute the signature of a registered party on documents submitted to the Court or by the Court.

(3) Despite subrule (2), a party may apply an electronic signature to a document to be submitted to the Court.

(4) In order to ensure the intent of the filing party, the signature line on an electronically filed document shall bear the printed name of the filing party preceded by the symbol "/s/".

(5) An electronic document may be signed by the Master through the use of a printed signature preceded by the "/s/" symbol or through the use of the Court's efiling Manager (EFM) application judicial signature stamp.

(6) The efiling manager (EFM) application judicial signature stamp shall be merged with the electronic document and shall be visible when the document is printed and viewed electronically.

(7) A document requiring the signature or other identifying indicator of a party shall be filed with the Court in paper format and scanned and maintained consistent with applicable record retention schedules and archival rules.

File transmission, confirmation, acceptance and rejection

9. (1) The Master shall, upon completion of the transmission of an electronic document for filing, immediately scan the document for viruses.

(2) Where the document transmitted under subrule (1) is free from infection, the document shall be deemed submitted and the Master shall send an acknowledgment of receipt of the document to the filing party.

(3) A document which has been successfully received shall be reviewed for compliance with all standard filing practices and, if it complies with the standards, shall be accepted and deemed filed as of the date and time it was received by the Master's efiling system.

(4) Where a document is infected, the Registrar shall discard the document and send a notice to the filing party that the document was infected and has not been filed.

(5) A notice under subrule (4) shall be sent to a filing party or an authorised third party facilitating entity and shall specify the grounds for rejection.

(6) A party whose document has been rejected may resubmit the rejected document with appropriate corrections.

(7) A document received under subrule (4) shall be received subject to review, payment of applicable fees and acceptance by the Master.

(8) The Master shall, upon completion of the electronic filing review process, send a notification of the filing status to the filing party and, if accepted, the official file date and time of the filing.

(9) A document accepted for filing by the Master shall be electronically file stamped with the words "ELECTRONICALLY FILED", the time and date of filing and the name of the Master accepting the filing.

(10) The file stamp referred to in subrule (9) shall be merged with the electronic document and shall be visible when the document is printed and viewed online.

(11) An electronically filed document that does not bear an electronic file stamp shall be deemed to be incomplete.

(12) An e-filed document stamped in accordance with these Rules shall have the same effect as a conventionally filed document.

Responsibility for filing

10. A party that files a document electronically shall have the same responsibility as a person conventionally filing a document in paper format for ensuring that the document is properly filed, complete and legible and that the appropriate copies have been provided to other parties in the matter.

Form of proceedings

11. (1) The proceedings in the Court shall be on A4 paper of good quality, unless the nature of the document renders it impracticable, and shall be clear and easily legible and may be printed, photocopied, typewritten, written or reproduced in photostat, or in any combination of those media.

(2) One side of the paper shall be used and a margin of not less than 4 centimetres shall be left on the lefthand side of each sheet to permit the binding in book form.

(3) The taxing officer shall, whatever medium of reproduction may be adopted on taxation, allow only those costs which would, in the taxing officer's opinion, have been reasonably incurred by using the most economical method permitted.

(4) A record of appeal shall be bound in book form

with an outside cover of stout paper, and the title of the appeal appearing on the outside cover and may, if long, be in more volumes than one.

(5) A record of appeal shall be paginated continuously throughout, but in criminal cases the preliminary pages comprising the documents relating to the appeal may, for this purpose, be disregarded.

(6) The fifth line of each page of a record of appeal shall be numbered in the unbound portion of the margin in sequences of five.

ORDER IV

Referral of Constitutional Matters

Referral of constitutional matters

1. (1) Where a constitutional question arises in any cause or matter before the Court, the Court shall in accordance with section 4 of the Act, refer such question to the Constitutional Court for determination, stating the question or questions to be determined by the Constitutional Court.

(2) Where in the opinion of the Court the question referred to the Constitutional Court may determine the entire appeal, the Court shall stay the proceedings before it until the determination of that question.

ORDER V

SERVICE OF PROCESS

Service of process of Court

1. (1) A summons, warrant, order, rule, notice or any other document of the Court may be signed by a judge of the Court or by the Master and shall be sealed with the seal of the Court.

(2) An order of the Court shall be dated as of the date on which the judgment was given or order was made and shall, in addition, show the date on which the order was extracted.

(3) Process of the Court may be served in such manner as the Court may direct.

(4) Service shall ordinarily be personal, but where a party to any proceeding has given an address for service, service may be effected by delivery at that address.

(5) The Court may order substituted service of any process and may order that service be deemed to have been effected at any time and in any manner.

(6) Subject to the other provisions of this rule, unless the Court orders otherwise, service of process of the Court shall be effected in the same manner as service of process of the High Court is effected.

(7) The Court may order that process of the Court or notice thereof be served out of the jurisdiction.

(8) The Court may, in any case, order that process of the Court be served upon any party to the proceedings in the Court below on whom it has not been served, or upon any person not party to the proceedings.

Address for service

2. (1) Where in any proceeding in the High Court a party has given an address for service, a notice of appeal from a judgment pronounced in such proceedings may be served on such party at such address for service despite the fact that the address may be that of a practitioner who has not been retained for the purpose of an appeal.

(2) Notice of an application preparatory or incidental to an appeal may be served as prescribed in subrule (1) at any time before the date on which the respondent gives or ought to give notice of the address for service in accordance with subrule (3).

(3) A person who, by virtue of service on that person of a notice of appeal, becomes a respondent to an

intended appeal shall—

(a) within seven days after service on that person of the notice of appeal, file with the Registrar and serve on the appellant notice of a full and sufficient address for service, including, where available, an electronic mail address; and

(b) within a further seven days, serve a copy of the notice of address for service on the respondent named in the notice of appeal who has filed a notice of an address for service.

(4) A person who files a notice of appeal with the Registrar shall, as soon as practicable, file a copy of the notice in the registry.

(5) If a respondent fails or omits to file or serve a notice of address for service, it shall not be necessary to serve on that respondent, a copy of the record of appeal or of any other proceedings in the appeal or any notice of hearing.

(6) A notice of address for service shall be substantially in Form II set out in the First Schedule.

Change of address for service

3. A person who has an address for service may, at any time, change the address for service, by filing a notice of such change in the Registry and serving copies of it on a person who has been served with the previous address.

Service

4. (1) Where a document is required to be served under these Rules, it may be served in electronic or hard copy format.

(2) Except as otherwise provided in these Rules, the appellant or applicant shall serve the respondent with the appeal or other process within five days of filing or such time as the Court may direct.

(3) Service of process shall be proved by filing an affidavit of service or, if served by the Sheriff, by debit and advice note.

Effecting of service

5. Personal service of an appeal, application or other document of which service is required, may be made by any person.

Document to be explained

6. A person serving a document shall, on the request of the party served, explain to that party the contents of the document.

Acknowledgment of service

7. A person serving an appeal or application which would entitle the appellant or the applicant to enter final judgment shall request the party served to acknowledge receipt by signing on the original or copy of the process or on some other document tendered for the purpose, and the fact of a refusal to sign shall be endorsed by the person serving the process.

Substituted service

8. (1) Where personal service of an appeal, application, order, document, proceeding or written communication is required and it is made to appear to the Court or a judge of the Court that prompt personal service cannot be effected, the Court or judge may make an order for substituted or other service, or for the service of notice by letter, public advertisement or otherwise as may be just.

(2) An application to the Court or a judge of the Court for an order to be made under this rule shall be supported by an affidavit setting out the grounds upon which the application is made.

Restriction on service of process

9. Court process shall not be served on a Saturday, Sunday or public holiday.

Mode of service when personal service not required

10. (1) A document or proceeding in respect of which personal service is not required shall be sufficiently served if--

(a) left at the address for service of the person to be served with any person resident at or belonging to such place; or

(b) posted in a prepaid registered envelope addressed to the person to be served at the postal address for service.

(2) Where service of a document under this rule is made by registered post, the time at which the document so posted would be delivered in the ordinary course of post shall be considered as the time of service of that document.

Service upon practitioner of party formerly appearing in person

11. Where a party, after having commenced an action or appearing in person, gives notice, in writing, to the opposite party through a practitioner that the practitioner is authorised to act in the cause or matter on that party's behalf, all documents or proceedings which ought to be delivered to or served upon the party on whose behalf the notice is given shall be delivered to or served upon that practitioner.

Service on partners

12. (1) Where partners are sued in the name of their firm, documents or proceedings required to be served shall be served upon any one or more of the partners or at the principal place, within the jurisdiction, of the business of the partnership upon any person having, at the time of the service, the control or management of the partnership business.

(2) Where a matter is commenced against a firm, a person upon whom it is served shall be informed by notice, in writing, given at the time of such service whether that person is served as a partner or as a person having the control or management of the partnership business, or in both characters.

(3) Where no notice is given to the person referred to in subrule (2), the person served shall be deemed to be served as a partner.

(4) Service of a document or other court process on a body corporate other than a company shall be effected on any office bearer.

Service on prisoner

13. Where the person on whom service is to be effected is a prisoner in a prison, it shall be sufficient service to deliver the document or court process at the prison to the jailer or person appearing to be the head or officer-in-charge of the prison, who shall cause the same to be served on such prisoner.

Service on person in asylum or prison

14. Where the person on whom service is to be effected is employed and dwells in any medical institution or any other public asylum or in any prison, it shall be sufficient service to deliver the document or court process to the gatekeeper or lodge keeper of that asylum or prison, who shall cause the same to be served on that person.

Service on respondent out of jurisdiction but carrying on business within jurisdiction

15. Where a matter is against a respondent residing outside Zambia but carrying on business within Zambia in that person's own name or under the name of a firm, through an authorised agent, and such matter is limited to a cause of action which arose within Zambia, the court process or document may be served by giving it to the authorised agent, and such service shall be equivalent to personal service on the respondent.

Application for leave to serve out of jurisdiction

16. (1) An application for leave to issue court process for service out of the jurisdiction may be made *ex parte* to the Court or a judge of the Court.

(2) The application referred to in subrule (1) shall state—

(a) the grounds upon which the application is made and the facts which bring the applicant's case within the class in respect of which service out of the jurisdiction may be allowed;

(b) that the deponent is advised and believes that the applicant has a good cause of action or right to relief;

(c) in which place or country the respondent resides or may probably be found; and

(d) whether the respondent is a citizen of Zambia or not.

Service on foreign person in foreign country

17. Where court process is issued for service outside Zambia upon a person who is not a citizen of Zambia, notice of the court process and not the court process itself shall be served on that person.

18. Where an officer of the Court or a person charged with the service of court process on a person is prevented from personally serving the court process on that person because of the violence or threats of that person, or any other person in concert with that person, it is sufficient to inform the person to be served of the nature of the court process and to leave the court process as near that person as is practicable. Service where violence threatened

ORDER VI

Appearance

1. (1) A party to proceedings in the Court may appear in person or by a practitioner. Appearance

(2) A person under disability shall appear by next friend or legal guardian, as the case may be, and such next friend or legal guardian shall be represented by a practitioner.

(3) The Court may appoint a legal guardian for the purposes of an appeal and may, at any time, remove and replace any legal guardian however appointed.

(4) Except in cases where a next friend or legal guardian is appointed by order of the Court, a next friend or legal guardian shall file a written consent to be such next friend or legal guardian and shall be considered duly appointed as such.

ORDER VII

Interlocutory Applications

1. (1) An interlocutory application under the Act shall be by notice of motion or summons in substantially Form III and Form IV, respectively, set out in the First Schedule. Interlocutory application

(2) An interlocutory application may be heard and determined by a single judge, except that the direction or order made on an interlocutory application shall not operate so as to prejudice the Court from giving a decision on a case if the Court considers just.

2. (1) An application to the Court not involving the decision of an appeal shall, unless made in the course of the hearing of an appeal, be made in the first place to a single judge. Application before single judge

(2) An application to a single judge shall be heard in open court or in chambers as the single judge may direct.

(3) If an appeal is pending, any application made in connection with the appeal, shall be entitled in the appeal.

(4) If no appeal is pending, an application shall be entitled as a criminal or civil application and in the matter of the intended appeal or otherwise as may be appropriate.

(5) For the purpose of this rule, an appeal shall not be pending until it has been duly entered in the register.

(6) For the purpose of constituting a Court, the single judge who dealt with or refused an application shall not sit as a member of the Court determining the application.

(7) Where an application in a criminal matter has been dealt with by a single judge, the Master shall notify the appellant of the decision in Form V set out in the First Schedule.

(8) When an appellant is notified that the application referred to in subrule (7) has been refused, the appellant wishing the application to be heard by the full Court shall lodge with the Master, within fourteen days of receipt of that notification, a notice requesting the application to be heard by the full Court.

(9) The notice referred to in sub-rule (8) shall be substantially in Form VI set out in the First Schedule.

(10) Where an application in a criminal matter has been dealt with by the full Court, the Master shall notify the appellant of the decision in Form VII set out in the First Schedule.

(11) If the appellant has not lodged any notice within the prescribed time, the refusal of the application by the single judge shall be final.

Setting aside or varying order of Registrar or Master

3. (1) A person aggrieved by anything done or ordered to be done by the Registrar or Master, other than any thing ordered or done by the direction of the Chief Justice, may apply to a single judge to have that act, order or ruling set aside or varied.

(2) An application under sub-rule (1) shall be made by notice of motion supported by an affidavit setting out the complaint and the relief sought.

(3) The judge may, before a ruling on an application under this rule is made, give such directions or make such order on the application as that judge considers just.

Failure to respond within stipulated time

4. (1) If the respondent does not respond within the time stipulated for the response to an application, the Court may hear and determine the application in the respondent's absence.

(2) The Court may, subject to an order as to costs that the Court may make, set aside a decision made under subrule (1) on its own motion or upon the application of the respondent or a party affected by the decision.

ORDER VIII

AMENDMENT

Amendment of process

1. A party that wishes to amend the process or any document may, before the conclusion of the hearing apply to the Court for leave to amend process or document.

2. The Court may allow the amendment of any proceedings before the close of the hearing on such terms as the Court considers necessary.

ORDER IX

CRIMINAL APPEALS

Notice of intention to appeal and application for leave to appeal

1. (1) A notice of intention to appeal or application for leave to appeal shall be in writing and the appellant shall file four copies of that notice with the Master within thirty days from the date of the judgment appealed against.

(2) The Master shall, immediately after the filing of the notice or application referred to in sub-rule (1), enter it in the register and notify the Registrar of the notice or application and the serial number assigned to it.

(3) The Master shall upon receipt of a notice of intention to appeal or application for leave to appeal, send a copy of the notice to the Director of Public Prosecutions.

(4) A notice of intention to appeal or application for leave to appeal shall—

(a) state whether the appeal is against the whole or a portion of the judgment; and

(b) contain an address, including an electronic mail address, where applicable to which a notice or document connected with the appeal may be served upon theappellant or upon the appellant's practitioner and, subject to the provisions of Order V, shall be signed by the appellant or that appellant's practitioner.

(5) Where persons have been jointly tried and any two or more of them desire to appeal, they may file separate or joint notices of intention to appeal or applications for leave to appeal.

(6) A notice of intention to appeal or application for leave to appeal shall be considered to institute one appeal, but where more appeals than one are brought arising from convictions at the same trial they shall, unless the Court otherwise orders, be considered to have been consolidated and shall proceed as one appeal.

(7) Where a notice of intention to appeal or application for leave to appeal is signed by or on behalf of an appellant who is in prison, it shall include a statement that the appellant intends or does not intend, to appear at the hearing of the appeal.

(8) Where leave to appeal is granted by the High Court when judgment is pronounced, a notice of intention to appeal shall be lodged in the manner provided by this rule and shall be endorsed by the Registrar with a certificate that such leave has been granted.

(9) A notice of intention to appeal shall be substantially in Form VIII set out in the First Schedule and an application for leave to appeal shall be substantially in Form IX also set out in the First Schedule.

(10) The grounds of appeal shall be substantially in Form X set out in the First Schedule.

Grounds of appeal

2. (1) An appellant shall include in the notice of intention to appeal, grounds of appeal, setting out in paragraphs numbered consecutively and particulars of the matters in regard to which the court below is alleged to have erred.

(2) Where the grounds of appeal are not included, the appellant shall file such grounds of appeal within fourteen days after receipt of the copy of the record referred to in rule 5.

(3) If the appellant fails to file grounds of appeal within the stipulated period, the appeal shall be considered to have been abandoned.

(4) Where the grounds of appeal have been included in the notice of intention to appeal, the appellant may file additional or amended grounds of appeal within fourteen days after receipt of the copy of the record referred to in rule 5.

(5) An application for leave to appeal shall contain a statement of the appellant's grounds of appeal as aforesaid and if leave is granted the appellant may file additional or amended grounds of appeal within fourteen days of receipt of the record referred to in rule 5.

(6) An appellant shall not, on the hearing of the appeal, rely on any grounds of appeal other than those referred to in this rule.

(7) Despite sub-rule (6), the Court may on the hearing of an appeal, grant an appellant leave to rely on grounds of appeal other than those referred to in this rule or make such order as the justice of a case may require.

Stay of execution

3. (1) Subject to the provisions of section 19 of the Act, an appeal shall not operate as a stay of execution, but the High Court or the Court may stay execution on any judgment, pending appeal, on such terms as to security for the payment of any money or the performance or nonperformance of an act or the suffering of a punishment ordered by or in such judgment, as to such court may appear reasonable.

(2) A renewed application for a stay of execution shall be made within three days of the decision of the lower court, except that the Court may grant leave to hear the renewal application out of time on such grounds as it may consider fit and upon payment of the applicable fee set out in the Second Schedule.

(3) Where a stay of execution of a judgment containing a sentence of imprisonment is ordered under subrule (1) and the Court subsequently dismisses the appeal or makes an order that the appellant shall serve some term of imprisonment, the time during which the execution of the judgment was so stayed shall be excluded in computing the term of such sentence unless the Court otherwise orders.

Grounds of decision of lower court

4. Where the Court considers that explanation of the judgment of the trial court would be of assistance to the Court, it may direct that such explanation be furnished and shall form part of the record of the proceedings in addition to the judgment.

Preparation and transmission of record

5. (1) The Registrar shall, upon receipt of a notice of intention to appeal or application for leave to appeal, immediately prepare the record and transmit to the Master twentyone copies, together with the original record and, where appropriate, the original record of a preliminary inquiry.

(2) Original exhibits, other than documentary exhibits, shall not ordinarily be transmitted but shall be retained by the Registrar who shall transmit them to the Court, if the Court so directs.

(3) The Registrar shall furnish the parties to an appeal with a copy of the record.

(4) A record shall be prepared in accordance with Order III rule 11 and shall comprise the following items in the order in which they are set out—

(a) in the case of a first appeal

(i) a complete index of the evidence and the proceedings and documents in the case showing the pages at which they appear;

(ii) the trial judge's notes of the evidence and any transcript of ashorthand note or an electronic or other mechanical recording of the evidence;

(iii) the names of all witnesses and the relevant pages of the record as well as the numerical sequence of witnesses;

(iv) a certificate of record as required by subrule (6);

(v) the notice of intention to appeal;

(vi) the grounds of appeal filed separately from the notice of intention to appeal, or additional or amended grounds of appeal;

(vii) a copy of the legal aid certificate, if any, granted by the High Court;

(viii) the information or charge;

(ix) the plea;

(x) the proceedings, including the evidence as recorded in the trial judge's or magistrate's notes of the trial or, if such proceedings were recorded by shorthand or by means of a recording apparatus, a copy of the transcript, except that the Court may call for the production of the judge's or magistrate's notes of the proceedings;

(xi) the judgment of the High Court;

(xii) a record of the evidence adduced, if (xiii) in the case of a trial with assessors, their recorded opinions;

(xiv) an explanation of the judgment furnished pursuant to rule 4;

(xv) a record of the proceedings on or after sentence, in so far as not included in the note or transcript of the hearing;

(xvi) a list of the previous convictions, if any, of the accused;

(xvii) a list of the exhibits presented at trial, indicating those which are being retained by the trial court and those which are being forwarded to the Court;

(xviii) the documentary exhibits put in at the trial, including a deposition admitted in the absence of an intended witness, photographs and plans, except that in the case of books of account or documents of great length or bulkiness, copy extracts of the relevant parts shall be included; and

(xix) any other documents which the trial judge may order to be included or which appear to the Registrar to be necessary for the proper disposal of the appeal, such as reports on the appellant's state of mind or health, made after sentence; and

(b) in the case of a second appeal—

(i) a complete index of the evidence and the proceedings and documents in the case showing the pages at which they appear;

(ii) an index of the names of all witnesses and the relevant pages of the record as well as the numerical sequence of witnesses;

(iii) a certificate of record as required by subrule (6);

(iv) the application for leave to appeal or, where leave to appeal has been given by the High Court as provided in section 15 of the Act, the notice of intention to appeal;

(v) the grounds of appeal filed separately from the application for leave to appeal or the notice of intention to appeal, as the case may be, or additional or amended grounds of appeal;

(vi) the notice of appeal to the High Court;

(vii) a copy of the legal aid certificate, if any, granted by the High Court;

(viii) the proceedings including the evidence as recorded in the trial magistrate's notes of the trial or, if such proceedings were recorded by shorthand or by means of a recording apparatus, a copy of the transcript, except that the Court may call for the production of the magistrate's notes of the proceedings;

(ix) the judgment of the High Court;

(x) the judgment and sentence of the subordinate court;

(xi) any explanations of the judgment of the trial court furnished in the grounds for the decision contained in the record of proceedings;

(xii) a record of the proceedings on or after sentence, in so far as not included in the note or transcript of the hearing;

(xiii) a record of additional evidence given, or the exhibits received, at the hearing of the appeal before the High Court;

(xiv) any other documents which the judge hearing the appeal in the High Court may order to be included, or which appear to the Registrar to be necessary for the proper disposal of the appeal, such as reports on the appellant's state of mind or health, made after sentence.

(5) Where the record of appeal comprises more than one volume, the index shall appear in the first volume only.

(6) It shall not be necessary that copies of individual documents be separately certified, but the Registrar, or an officer of such court appointed by the Registrar for such purpose, or, in the case of a direct appeal, the clerk of a subordinate court, shall certify as correct each copy of the record to be transmitted under the provisions of this rule.

Procedure where appellant in prison

6. (1) If the appellant is in prison, the appellant shall be considered to have complied with the requirements of these Rules if that appellant gives to the officer in charge of the prison the notice of intention to appeal or application for leave to appeal within the time prescribed.

(2) The prison officer shall immediately record on the notice of intention to appeal or application, the date of receipt and shall forward the same to the Registrar.

Abandonment of appeal

7. (1) An appellant may, at any time after lodging the notice of intention to appeal or application for leave to appeal, or for an extension of time within which such notice shall be given, abandon that appeal or application by giving notice to the Master in Form XI set out in the First Schedule and, upon such notice being given, the appeal or application shall without further order be considered to have been dismissed or refused by the Court.

(2) The Master shall give notice of the dismissal or abandonment to the Registrar and to the respondent in Form XII set out in the First Schedule and, if a stay of execution has been granted, the sentence or order of the High Court shall forthwith be enforced.

(3) If an appellant is alleged to be of unsound mind, the appeal or application shall not be abandoned without leave of the Court.

(4) An appeal which has been dismissed under this rule may, on the application of the appellant, be restored by leave of the Court if the Court is satisfied that the notice of abandonment was induced by fraud or mistake and that the interests of justice require that the appeal be heard.

Withdrawal of Appeal

8. (1) An appellant may withdraw an appeal at any time before hearing, by notice in writing to the Court and upon such notice being given the appeal shall be considered to have been dismissed.

(2) The Court may restore an appeal which has been withdrawn on the application of the appellant, if the Court is satisfied that the notice of withdrawal was induced by fraud or mistake and that the interests of justice require that the appeal be heard.

(3) An appeal may be withdrawn by an informal application in Court at any time before judgment.

Abatement of appeal

9. An appeal, other than an appeal against a sentence of a fine or an order for costs, compensation or forfeiture, shall abate on the death of the appellant, or, where the appellant is the State, on the death of the respondent.

Presentation of appellant's case in writing

10. Where an appellant wishes to present that appellant's case in writing under the provisions of section 17(2) of the Act, the appellant shall within fourteen days of the receipt of the copy of the record, file with the Master, twentyone copies of the written statement of the case, which shall include heads of argument.

Heads of argument

11. (1) The Court may require an appellant or respondent who will be represented by a practitioner at the hearing of the appeal, to prepare a document setting out the main heads of the appellant's or respondent's argument together with the authorities to be cited in support of each head, and to submit electronically or deliver twentyone copies of the heads of argument to the Master and one copy thereof to each of the other parties to the appeal within fourteen days prior to the day fixed for the hearing of the appeal.

(2) The respondent may, upon receipt of the heads of argument referred to in subrule (1), within seven days prior to the day fixed for hearing of the appeal, reply to the heads of argument.

Attendance at hearing

12. (1) If the appellant is the State, it shall not be necessary for the respondent to appear at the hearing of the appeal, but if the Court is disposed to allow the appeal it may direct the attendance of the respondent to hear judgment, except that the Court may for sufficient reason direct the attendance of the respondent at any earlier time.

(2) If on the day fixed for the hearing of an appeal the appellant does not appear in person or by practitioner, the appeal may, if the appellant has presented the case in writing or has informed the Court of the appellant's non attendance, be heard in the absence of the appellant, and in any other case may, in the discretion of the Court, be summarily dismissed or heard in the appellant's absence.

(3) Where an appeal is dismissed under subrule (2), the Court may restore the appeal for hearing if it is proved to the satisfaction of the Court that the appellant was prevented by sufficient cause from appearing, whether in person or by practitioner, when the appeal was called on for hearing.

(4) An application for restoration shall be made within thirty days from the date of dismissal of the appeal.

Irregularities

13. The Court may, on the application of a person wishing to appeal or crossappeal who may be prevented from doing so by reason of not having observed a formality or requirement of these Rules, permit that person to prosecute that appeal or crossappeal, subject to terms as to costs or otherwise and subject to such directions as the Court may consider desirable in order to ensure that substantial justice is done in the matter.

Hearing and orders on appeal

14. At the hearing of an appeal, the Court shall hear the appellant or the appellant's practitioner, if the practitioner appears, and, if the Court thinks fit, the respondent or the respondent's practitioner, if the practitioner appears, and may hear the appellant or the appellant's practitioner in reply, and the Court shall thereupon, subject to the provisions of rule 17, determine the appeal, and may make an order in conformity with the provisions of the Act as it may consider just, and may by such order exercise a power which any court below might have exercised.

Additional evidence and report

15. (1) In dealing with an appeal the Court may, if it thinks additional evidence is necessary, take such evidence itself or direct it to be taken by the trial court or by the Master or by some other person as commissioner.

(2) When additional evidence is taken by the trial court that Court shall certify such evidence, with a statement of its opinion as to the credibility of the witness or witnesses giving such additional evidence, to the Court.

(3) When additional evidence is taken by the Master or a commissioner, that evidence shall be certified and the Court shall proceed to dispose of the appeal.

(4) The parties to the appeal shall be entitled to be present when the additional evidence is taken, but such evidence shall not be taken in the presence of an assessor.

(5) In dealing with an appeal the Court may, if it thinks fit, call for and receive from the trial court a report on any matter connected with the trial, and in dealing with any second appeal, the Court may in addition, if it thinks fit, call for and receive from the High Court a report on any matter connected with the appeal proceedings before it.

Order for disposal of property

16. When an order for the restitution of property to a person, or for the forfeiture or other disposal of the property belonging to a person has been made by a court below in the course of a criminal trial or appeal, a person in whose favour or against whom that order has been made, and, with leave of the Court, any other person, shall, on the hearing by the Court of an appeal against the judgment whether at first instance or on appeal relating to the conviction in respect of which that order was made, be entitled to be heard by the Court in regard to the order.

Judgment in criminal cases

17. (1) On the termination of the hearing of an appeal the Court shall, either immediately or on a future day which shall either then be appointed for the purpose or of which notice shall subsequently be given to the parties, deliver judgment in open court.

(2) The Court shall not sit for the purpose of delivering judgment, if the presiding judge so directs but the judgment of the Court or of the members of the Court, as the case may be, shall be read in open court by a judge at the time and place appointed or fixed.

(3) The Court shall ordinarily give one judgment, which may be pronounced by the presiding judge or by such other member of the Court as the presiding judge may direct.

(4) If a judge of the Court dissents from the judgment of the Court, the judge is not obliged to sign the majority judgment but may deliver a separate judgment.

(5) The judgment of any member of the Court who is absent may be read by any other judge of the Court or by the Master.

Order

18. (1) Where a criminal appeal or matter is decided, the judgment or order of the Court shall be embodied in a formal order by the Master, and a sealed copy of that order shall be sent by the Master to the trial court and, in the case of a second appeal, to the High Court.

(2) The trial court and, in the case of a second appeal, the High Court, shall thereupon make such orders as are necessary and conformable to the order of the Court and, if necessary, the record shall be amended accordingly.

Notification of decision

19. The Master shall inform the court below and, if the appellant is in prison, the officer in charge of the prison, and so far as possible any party to any proceeding in the Court who was not present or represented at the hearing thereof, of the result of that proceeding.

Return of original depositions and exhibits

20. On the final determination of an appeal the Master shall return any original depositions and exhibits to the Registrar.

Application for bail

21. (1) An application for bail to the Court shall be made in Form XIII set out in the First Schedule with the supporting documents in Forms XIV, XV and XVI also set out in the First Schedule, as applicable.

(2) The provisions of sections *one hundred and twenty three* to *one hundred and thirtyone* and *one hundred and thirtythree* of the Criminal Procedure Code apply, with necessary modifications, to applications for, and the grant of, bail by the Court.

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Other applications in respect of criminal appeals

22. An application made to the Court and not specifically dealt with elsewhere in these Rules shall be brought by notice in writing setting out the nature of the application and twentyone copies of such notice shall lodged with the Master.

ORDER X

Civil Appeals

Application

1. This Order applies to appeals from the High Court or a quasi judicial body that are not under the exclusive jurisdiction of the Constitutional Court.

Civil application

2. (1) An application to a single judge shall be made by notice of motion or summons within fourteen days from the date of the decision complained of.

(2) An application referred to in sub-rule (1) shall state the grounds of the application and, if necessary, be supported by an affidavit.

(3) The documents referred to in sub-rules (1) and (2) shall be filed in duplicate.

(4) The documents referred to in subrules (1) and (2) shall be served on the parties not less than two clear days before the date of hearing the application.

(5) An application referred to in sub-rule (1) may be made *ex-parte* in case of urgency but in any such case a certificate of urgency signed by the practitioner for the applicant or, if the applicant is not represented by a practitioner, by the Master, shall be filed with the application.

(6) An application made to a single judge may be adjourned by that judge, for the consideration of the Court.

(7) The applicant shall, where an application is adjourned in accordance with subrule (6), before the date of hearing the adjourned application, file three extra copies of the application and, where applicable, affidavits filed in the application for the use of the Court.

(8) A person who is aggrieved by a decision of a single judge and who intends to have such decision varied, discharged or reversed by the Court under section 9(b) of the Act shall, before the date of hearing of the application by the Court, file three extra copies of the proceedings, including copies of the affidavits filed by the other party prior to the single judge's decision, for the use of the Court.

(9) An application involving the decision of an appeal shall be made to the Court in the manner specified in sub-rule (1).

(10) The applicant shall file twentyone hard copies and an electronic copy of the proceedings referred to in sub rule (6) and the application shall be heard in Court unless the Judge President or presiding judge directs otherwise.

(11) An order on an application, other than an order for adjournment or an order made without formal application in the course of the hearing of an appeal, shall be drawn up and filed with the proceedings at the instance of the party in whose favour the order was granted.

(12) A notice of motion shall be substantially in Form III set out in the First Schedule, and the relative motion paper shall be in similar form.

(13) A summons shall be substantially in Form IV set out in the First Schedule.

Notice of appeal

3. (1) A person desiring to appeal to the Court shall give notice of appeal in accordance with this rule.

(2) An appellant may appeal against the whole or a part of a judgment.

(3) The notice of appeal shall state whether the whole or part only, and what part, of the judgment is appealed against.

(4) The names and addresses of the persons intended to be served with a notice of appeal shall be stated in the notice of appeal.

(5) The notice of appeal and memorandum of appeal shall be entitled in the proceedings from which it is intended to appeal and shall be filed with the Registrar within thirty days after the judgment appealed against.

(6) An appellant shall file twenty-one hard copies of the notice of appeal and memorandum of appeal referred to in sub-rule (5)

(7) The Registrar shall forward one copy of the notice to the Master and submit, to the Master, one copy for each party directly affected by the appeal for sealing and return to the appellant or the appellant's practitioner for service in accordance with this Order.

(8) A notice of appeal shall be substantially in Form XVII set out in the First Schedule.

(9) A notice of appeal, together with the memorandum of appeal, shall be lodged and served, within a period of fourteen days, on all parties directly affected by the appeal or on their practitioner.

(10) A notice of appeal, together with the memorandum of appeal, may be lodged and filed in electronic form.

(11) A memorandum of appeal shall be substantially in Form XVIII set out in the First Schedule.

(12) The Court may in any case direct that the notice of appeal be served upon a party to the proceedings in any court below on whom it has not been served, or upon any person not party to those proceedings.

Leave to appeal

4. (1) The High Court or a quasi-judicial body may grant or refuse leave to appeal to the Court without formal application at the time when judgment is given, and in that event the judgment shall record that leave has been granted or refused accordingly.

(2) Where leave to appeal is granted, the appellant shall proceed to give notice of appeal in accordance with rule 3 and the order granting leave shall be included in the record of appeal.

(3) An application to the High Court or quasi-judicial body for leave to appeal to the Court shall be by motion or summons and state the grounds of the application, and shall, if necessary, be supported by an affidavit.

(4) An application made under subrule (3) shall be entitled and filed in the proceedings from which it is intended to appeal, and all necessary parties shall be served.

(5) Where leave to appeal is refused, an application for leave to appeal to the Court shall be made to a single judge.

(6) Where a single judge refuses leave to appeal, the application for leave may be renewed before the Court.

(7) An application referred to in sub-rules (5) and

(6) shall be—

(a) by motion or summons and state the grounds of the application;

(b) accompanied by the order refusing leave; and

(c) supported by an affidavit.

(8) If the application for leave relates to a part of the decision intended to be appealed against, that part of the decision shall be identified in the application.

Appeal not to operate as stay of execution

5. An appeal shall not operate as a stay of execution or of proceedings under the judgment appealed against unless the High Court, quasi-judicial body or the Court so orders and no intermediate act or proceeding shall be invalidated, except so far as the Court may direct.

Lodging of appeal

6. Subject to an extension of time and to an order made under Order XIII rule 3, the appellant shall, within sixty days after filing a notice of appeal—

(a) lodge the appeal by filing in the Registry twentyone hard copies of the record of appeal together with heads of argument and an electronic copy of the record of appeal;

(b) pay the prescribed fee in respect of the appeal; and

(c) pay into Court the sum of two thousand fee units as security for the costs of the appeal.

Default in lodging appeal

7. If an appeal is not lodged within the time stipulated under rule 6, the respondent may make an application to the Court for an order dismissing the appeal for want of prosecution, or alternatively, for such other order with regard to the appeal as the respondent may require.

Security for costs

8. (1) The Court may at any time, upon application or on its own motion, order security or further security for costs to be given, and may order security to be given for the payment of past costs relating to the matters in question in the appeal, and may make compliance with that order a condition precedent to the entertainment of an appeal.

(2) Where an appeal has been withdrawn under rule 12 after notice of crossappeal has been filed, the Court may, on the application of a respondent in a crossappeal, direct—

(a) the crossappellant to give to the Court, security for costs; or

(b) that the crossappeal be heard without security for costs being given.

Record of appeal

9. (1) The record of appeal shall be prepared in accordance with Order III rule 11 and shall include copies of the proceedings in the High Court or a quasi-judicial body.

(2) A memorandum of appeal shall set forth forth concisely and under distinct heads, without argument or narrative, the grounds of objection to the judgment appealed against, and shall specify the points of law or fact which are alleged to have been wrongly decided, such grounds to be numbered consecutively.

(3) The appellant shall not thereafter without the leave of the Court put forward any grounds of objection other than those set out in the memorandum of appeal, but the Court in deciding the appeal shall not be confined to the grounds put forward by the appellant.

(4) The Court shall not allow an appeal on any ground not stated in the memorandum of appeal unless the respondent, including any person who in relation to such ground should have been made a respondent, has had sufficient opportunity of contesting the appeal on that ground.

(5) The record of appeal shall contain the following documents in the order in which they are set out:—

(a) a complete index of the evidence and the proceedings and documents in the case showing the pages at which they appear;

(b) a certificate of record signed by the Registrar;

(c) the notice of appeal together with a copy of the order granting leave to appeal where appropriate;

(d) the memorandum of appeal;

(e) a statement showing the address for service of each party to the appeal, if so furnished, or the name and last known address of any respondent who has not filed notice of address for service, together with proof of service of the notice of appeal on the respondent;

(f) a copy of the judgment appealed against;

(g) copies of documents in the nature of pleadings, so far as it is necessary for showing the matter decided and the nature of the appeal;

(h) copies of affidavits read and documents put in evidence in the High Court or quasi-judicial body so far as they are material for the purposes of the appeal, and, if such documents are not in the English language, copies of certified translations thereof; affidavits, together with copies of documents exhibited thereto, shall be arranged in the order in which they were originally filed; other documentary evidence shall be arranged in strict order of date, without regard to the order in which the documents were submitted in evidence;

(i) such other documents, if any, as may be necessary for the proper determination of the appeal, including any interlocutory proceedings which may be directly relevant to the appeal;

(j) a copy of the notes of the hearing at first instance in the court below or, if the hearing was recorded by shorthand or by means of a recording apparatus, a copy of the transcript, except that the Court may call for the production of the notes of the hearing at first instance;

(k) a copy of the Certificate after Trial, if any;

(l) a list of exhibits, or schedule of evidence, as the case may be, indicating those items which are being forwarded to the Master and those which are being retained by a court below; and

(m) copies of such exhibits or parts of exhibits, including correspondence, as are relevant to the matters in controversy on the appeal.

(6) The index shall, as regards the notes of the evidence taken in a court below and any transcript of a shorthand note or electronic or other mechanical recording of such evidence, show the names of all witnesses and the relevant pages of the record as well as indicating the numerical sequence of the witnesses.

(7) Where the record of appeal comprises more than one volume, the index shall appear in the first volume only.

(8) The appellant shall file in the Registry twentyone hard copies and an electronic copy of the record of appeal, together with the heads of argument and a list of authorities to be cited in support of each head.

(9) The appellant shall, within fourteen days of filing the record of appeal together with heads of argument under subrule (8), serve a copy thereof on each party who has been served with the notice of appeal and has filed a notice of address for service, except that if there is more than one respondent represented by one practitioner, it shall be sufficient to serve one copy on that practitioner.

(10) The document setting out the heads of argument shall clearly set out the main heads of the appellant's arguments together with the authorities to be cited in support of each head of argument.

(11) The record of appeal shall be prepared by the appellant.

(12) If the appellant is not represented by a practitioner, the Registrar shall, upon request by such appellant and on payment of the prescribed fee, prepare the record and necessary copies and for that purpose shall be considered to act as agent of the appellant and not as an officer of the lower court.

(13) The Registrar shall prepare the copy of the notes of hearing at first instance in the court below or, if the hearing was recorded by shorthand or by means of a recording apparatus, the transcript thereof, and the appellant shall pay the prescribed fee therefor.

(14) A copy of the record shall be certified by the appellant or the appellant's practitioner, or, if prepared by the Registrar, by the Registrar.

(15) For the purposes of subrules (12), (13) and (14), "Registrar" includes an officer of the court below, who may be appointed by the Registrar for the purpose of the preparation of the record.

(16) The respondent shall, within thirty days of being served with the record of appeal and heads of argument, deliver twentyone hard copies and an electronic copy of the

respondent's heads of argument together with a list of authorities of each head to be cited and a supplementary record of appeal, if any, to the Master and one copy to a party to the appeal.

(17) The appellant may file heads of argument in reply to the respondent's heads of argument within seven days of receipt of the respondent's heads of argument.

Supplementary record

10. (1) If the respondent considers that the record filed by the appellant is defective that respondent may, without prejudice to the respondent's rights under rule 18, if any, file twentyone hard copies and an electronic copy of a supplementary record of appeal containing copies of any further documents which in that respondent's opinion are required for the proper determination of the appeal.

(2) A supplementary record shall be prepared as nearly as may be in the same manner as a record of appeal.

(3) A copy of the supplementary record of appeal shall be served on the appellant and any other respondent who has filed a notice of address for service.

(4) Where a document referred to in a record of appeal, in accordance with rule 9, is omitted from the record of appeal the appellant may, with leave of Court, within fourteen days of lodging the record of appeal, file a supplementary record of appeal.

Respondent's notice of cross-appeal

11. (1) A respondent who intends, upon the hearing of the appeal, to contend that the judgment of the court below should be varied may at any time after receiving notice of appeal but not more than seven days after the service on that respondent of the record of appeal—

(a) give a notice of crossappeal in Form XIX set out in the First Schedule, specifying the grounds thereof, to the appellant and to any other respondent named in the notice of appeal who may be affected by the crossappeal whether or not such other respondent has filed notice of address for service; and

(b) file in the Registry within the like period, twentyone hard copies and an electronic copy of the notice of cross-appeal.

(2) If the crossappeal relates only to a part of the judgment concerned, that part must be identified in the notice of crossappeal.

(3) If the respondent fails to give the notice within the time prescribed the respondent shall not be allowed,

except by leave of the Court, to contend on the hearing of the appeal that the judgment appealed against should be varied.

(4) The Court may in its discretion hear any such contention and may, if it thinks fit, impose terms as to costs, adjournment, or otherwise.

Withdrawal of appeal

12. (1) An appellant may at any time after lodging the appeal and before the appeal is called on for hearing, serve on the parties to the appeal and file in the Registry a notice of withdrawal of appeal in Form XX set out in the First Schedule.

(2) If the parties to the appeal consent to the withdrawal of the appeal without order of the Court, the appellant may file in the Registry the document or documents signifying such consent and signed by the parties or by their practitioners, and the appeal shall stand dismissed and any sum lodged in Court as security for the cost of the appeal shall be paid out to the appellant.

(3) If the parties do not consent to the withdrawal of the appeal, the appeal shall remain on the list, and shall come on for the hearing of any issue as to costs or otherwise remaining outstanding between the parties, and for the making of an order as to the disposal of any sum lodged in Court as security for the costs of the appeal.

(4) An appeal which has been withdrawn may be restored, by leave of the Court, on the application of the appellant if the Court is satisfied that the notice of withdrawal was induced by fraud or mistake and that the interests of justice require that the appeal be heard.

Appeal by respondent where appeal withdrawn

13. (1) Where an appeal is withdrawn under rule 12, or where notice of appeal has been given but the appeal has not been duly lodged, a respondent who has not given a respondent's notice of cross-appeal may, within thirty days of the date of the withdrawal of the appeal or of the last day of the period prescribed for the lodging of the appeal, as the case may be, give a respondent's notice and proceed in the manner prescribed by the foregoing rules.

(2) The times limited for giving notice of appeal, in entering the appeal, furnishing security for costs, and filing and serving the record of appeal may, on application to the Court or, if the appeal has not

been lodged to a judge of the High Court or to a quasi-judicial body, be extended so far as is reasonably necessary in the circumstances of the case.

Failure to file record

14. (1) Where an appellant fails to comply with rule 6, a respondent who has given a respondent's notice may proceed with the crossappeal.

(2) Where the respondent proceeds with the cross-appeal, that respondent shall, as soon as possible, or within such time as may be allowed by the Court, file twenty-one copies of a record of appeal, and shall serve copies thereof on the appellant and on any other parties to the appeal.

Fees and security for costs on cross-appeal

15. A respondent who proceeds with a crossappeal shall unless the appellant has paid the prescribed fee on lodging the appeal, pay the amount of such fee, but shall not be required to furnish security for costs unless the Court or a judge so orders.

Additional parties

16. (1) When an appeal is called for hearing or at any time before the hearing, the Court or a judge may, on the application of an interested party or on the Court's or the judge's own motion, direct that the record of appeal, or the respondent's notice, be served on a party not already a party to the cause or matter.

(2) The Court may, for purposes of service of the record of appeal or respondent's notice, adjourn the hearing on such terms as may appear to the Court or a judge to be just, and give judgment and make such order as might have been made if the parties served with such record or notice had originally been parties.

(3) In any such case the Court or a judge may direct that additional copies of the record or respondent's notice which may be necessary, be prepared and served by any party upon any person and may prescribe the time for doing so.

Amendment and default

17. (1) The Court or a judge may at any time allow amendment of a notice of appeal, respondent's notice, memorandum of appeal or other part of the record of appeal on such terms as the Court or judge thinks fit, and may make any such amendment of its own motion.

(2) If the record of appeal is not prepared in the prescribed manner, the appeal may be dismissed.

Notice of non-appearance and written argument

18. (1) An appellant or a respondent may, at any time not less than seven days before the day fixed for the hearing but after lodgment, file in the Registry a notice in writing, in Form XXI set out in the First Schedule, together with twentyone copies of written argument set out in numbered paragraphs under distinct heads as the party desires to submit to the Court, stating that such party does not wish to be present in person or appear by practitioner on the hearing of the appeal.

(2) The appellant or respondent, as the case may be, shall immediately after filing such notice serve a copy and a copy of the argument on each of the other parties to the appeal or their practitioners.

Non-appearance of parties at hearing

19. (1) Subject to rule 18, if on any day fixed for the hearing of an appeal—

(a) the appellant does not appear in person or by practitioner, the appeal may be dismissed;

(b) the appellant appears, and the respondent fails to appear either in person or by practitioner, the appeal shall proceed in the absence of such respondent, unless the Court for any sufficient reason adjourns the hearing; or

(c) no party appears either in person or by practitioner, the appeal may be adjourned, struck out, or dismissed.

(2) Where an appeal is dismissed, allowed, or struck out under subrule (1), a party who was absent may apply to the Court, within seven days of the dismissal, allowing or striking out of the appeal, for the rehearing or hearing of the appeal, as the case may be, and, where it is proved that there was sufficient reason for the absence of that party, the Court may order that the appeal be restored for hearing, upon such terms as to costs or otherwise as it considers just.

(3) This rule applies, with necessary modification, to the hearing of a crossappeal.

Hearing of appeals

20. Appeals to the Court shall be by way of rehearing on the record and any further evidence received under section 24 of the Act.

Judgment in civil cases

21. (1) The judgment of the Court shall be pronounced in open court, on the hearing of the appeal or at any subsequent time of which notice is given by the Master to the parties to the appeal.

(2) The judgment may be pronounced despite the absence of the judges who composed the court or any of them, and the judgment of any judge not present may be read by any judge present or by the Master.

(3) If a judge of the Court dissents from the judgment of the Court, such judge shall not be obligated to sign on the judgment, but may deliver a separate judgment.

(4) The certified copy of the judgment shall be sent by the Master to the High Court and any court below and to the parties or their legal practitioners, in hard copy or in electronic form.

(5) An interested party may obtain a copy of the judgment in hard copy or electronic form, upon payment of a prescribed fee.

(6) If the Court reserves judgment at the hearing, parties to the suit shall be served with a notice to attend and hear judgment, unless the Court, at the hearing states the day on which judgment will be delivered, in which case there shall be no further notice.

Interest

22. On an appeal, interest on a sum remaining due or damages payable as a result of the determination of the appeal, shall be allowed for such time as satisfaction of the judgment shall have been delayed by the appeal, unless the Court otherwise orders, at the rate recognised by the High Court, and the Registrar may compute that interest without any order for that purpose.

Order

23. (1) A judgment of the Court shall be embodied in an order.

(2) The party who is successful in the appeal shall prepare without delay a draft order and submit it for the approval of the other parties to the appeal.

(3) Where the draft order is approved in accordance with subrule (2), it shall be submitted to the presiding judge or any other judge who sat at the hearing as the presiding judge may direct.

(4) If the parties do not agree upon the form of the order, the draft shall be settled by the presiding judge or by any other judge who sat at the hearing as the presiding judge may direct, and the parties shall be entitled to be heard thereon if they so desire.

(5) A sealed or certified copy of the order shall be sent by the Master to the Registrar, to the parties and to any court below.

(6) This rule applies to the preparation of interlocutory orders.

Indigent persons

24. (1) An application for leave to appeal to the Court as an indigent person shall be made to the Registrar and no fees shall be payable on filing that application.

(2) The respondent or intended respondent shall be served with the application and the respondent and the Master may be heard on that application.

(3) Despite a single judge being satisfied as to the appellant's lack of means, the application may be dismissed if in the single judge's opinion, the appeal would have no reasonable possibility of success.

(4) A single judge may upon an application made under sub-rule (1) order that—

(a) no Court fees, or any specified amount less than the prescribed Court fees, be paid in respect of the appeal;

(b) no security for costs be lodged, or that any specified sum less than the prescribed sum of two thousand fee units, be lodged in Court as security for costs;

(c) the record of appeal be prepared by the Registrar of the High Court without payment, or on payment of any specified sum less than the prescribed fees thereof: and

(d) any sums the payment of which by the appellant has been excused by virtue of such order shall be a first charge on any money or property recovered by the appellant in or in consequence of the appeal.

(5) The appeal shall proceed in accordance with an order made under sub-rule (4), and the Master shall take such steps as are necessary to recover any sums becoming due under subrule (4)(d).

Civil appeal not to abate

25. (1) A civil appeal shall not abate on the death of the appellant or the respondent, but the Court shall on the application of an interested person, cause the legal representative of the deceased appellant to be made a party, in the place of the deceased appellant.

(2) Where an application under subrule (1) is not made within twelve months, the appeal shall abate.

ORDER XI

APPEALS TO SUPREME COURT

Appeal from judgment of Court

1. (1) An appeal from a judgment of the Court shall be made to the Supreme Court with leave of the Court.

(2) Leave to appeal to the Supreme Court may be granted or refused by the Court without formal application, at the time when judgment is given and in that event, the judgment shall record that leave has been granted or refused accordingly.

(3) Where leave is granted, the appellant shall give notice of appeal as prescribed in these rules and the order granting leave shall be included in the record of appeal.

(4) Where leave to appeal is refused by the Court, an application for leave to appeal may be made to the Supreme Court.

(5) If in a criminal appeal, the appellant is in prison and is not represented by a practitioner, that appellant shall be considered to have complied with this rule if that appellant gives the notice of intention to appeal, motion or summons to the officer-in-charge of the prison within fourteen days from the date of the judgment.

ORDER XII

Costs

Order as to costs

1. The Court may make such order as to the whole or any part of the costs of appeal or in any court below as may be just, and may assess the same, or direct taxation in accordance with the prescribed scales, or in default of such provision in accordance with the scales provided for the High Court under the High Court Act.

Determination of costs

2. (1) The question relating to costs shall, unless agreed by the parties, be referred to a taxing officer, and a notice of taxation shall be served on the parties.

(2) The taxing officer shall, within three months of the referral under subrule (1), ascertain the amount of costs.

Taxation

3. (1) The taxing officer may tax the costs arising out of an application or appeal to the Court in accordance with these Rules and the prescribed scales.

(2) The taxing officer shall, upon payment of a prescribed taxation fee sign the certificate of taxation.

Application to taxing officer

4. (1) A party to any taxation proceedings who is dissatisfied with the allowance or the disallowance in whole or in part of an item by a taxing officer or with the amount allowed by the taxing officer in respect of any item, may apply to the taxing officer to review the taxing officer's decision in respect of that item.

(2) An application under this rule for review of a taxing officer's decision may be made at any time within fourteen days of that decision.

(3) An application under this rule for the review of a decision in respect of any item, shall not be made after the signing of the taxing officer's certificate, dealing finally with that item.

(4) An applicant for review under this rule shall, at the time of making the application, deliver to the taxing officer objections in writing specifying by a list the items or part of items the allowance or disallowance of which, or the amount allowed in respect of which, is objected to and stating concisely the nature and grounds of the objection in each case.

(5) An applicant for review under this rule shall deliver a copy of the objections to any other party, if any, who attended on the taxation of those items or to whom the taxing officer directs that a copy of the objections shall be delivered.

(6) A party to whom a copy of the objections is delivered under this rule may, within fourteen days after delivery of the copy to that party, deliver to the taxing officer answers in writing to the objections stating concisely the grounds on which the party will oppose the objections, and shall at the same time deliver a copy of the answers to the party applying for review and to any other party to whom a copy of the objections has been delivered or to whom the taxing officer directs that a copy of the answers shall be delivered.

Appeal against taxing officer's decision

5. A party who is dissatisfied with the decision of the taxing officer to allow or to disallow any item in whole or in part, may apply to a single judge of the Court and the decision of the single judge shall be final.

ORDER XIII

General Provisions

Notice of sittings, vacations and business

1. The sittings of the Court and the matters to be disposed of at the sittings and vacations of the Court and arrangements made for business during vacations shall be advertised and notified in the manner directed by the Chief Justice.

Computation of time

2. A period of time fixed by these Rules or by any decision of the Court for doing any act shall be reckoned in accordance with the following provisions:

(a) a period of days from the happening of an event or the doing of an act shall be considered to be exclusive of the day on which the event happens or that act is done;

(b) if the last day of the period is a Saturday, Sunday or public holiday, "excluded day," the period shall include the next day;

(c) where an act or proceeding is directed or allowed to be done or taken on a specified day and that day is an excluded day, the act or proceeding shall be considered as done or taken in due time if it is done or taken the next day; and

(d) where an act or a proceeding is directed or allowed to be done or taken within a time not exceeding six days, an excluded day shall not be counted in the computation of time.

Extension of time

3. (1) The Court may, for sufficient reason extend the time for—

(a) making an application, including an application for leave to appeal;

(b) bringing an appeal; or

(c) taking any step in or in connection with an appeal.

(2) An application to the Court for extension of time in relation to a judgment or the date of expiration of the time within which the application ought to have been made, shall be filed in the Registry within twentyone days of the judgment or such time within which the application ought to have been made, unless leave of the Court is obtained to file the application out of time.

(3) The Court may for sufficient reason extend time for making an application, including an application for leave to appeal, or for bringing an appeal, or for taking any step in or in connection with any appeal, despite the time limited having expired, and whether the time limited for that purpose was so limited by the order of the Court, by these Rules, or by any written law.

(4) An application to the Court for an extension of time under this rule shall—

(a) in criminal cases, be substantially in Form XXII set out in the First Schedule; and

(b) in civil cases, be substantially in Form XXIII set out in the First Schedule.

(5) The Court shall in an order extending the time for doing any act, specify the time within which such act shall be done.

(6) The Master shall not file any notice of appeal or other document instituting an appeal or any application which is delivered after the expiration of the times set out in these Rules unless leave to appeal or to make an application out of time has been obtained, but shall notify the appellant or the appellant's practitioner that the appeal or application is out of time.

Notice of hearing and non-appearance

4. (1) The Master shall, after obtaining directions from the Judge President, cause notice of the date, time and place of hearing of an application or appeal to be served upon the appellant and respondent or their legal practitioner.

(2) The notice under this rule shall not be served on a person who has lodged a written argument under Order X rule 18 and who has signified that person's intention not to appear at the hearing.

(3) When at the time set down for the hearing of an application or appeal there is no appearance for the appellant and no written argument has been submitted in terms of Order X rule 18, the Court may strike out the application or appeal or may proceed to determine the application or appeal after hearing any other party or practitioner present and entitled to be heard.

(4) A notice of hearing in respect of a—

(a) criminal appeal shall be substantially in Form XXIV set out in the First Schedule; and

(b) civil appeal shall be substantially in Form XXV set out in the First Schedule.

Preliminary objection

5. (1) A respondent who intends to make any preliminary objection in relation to an appeal shall give notice of such preliminary objection to the Court and to the other parties within fourteen days from the date of receipt of the record of appeal.

(2) An appellant who intends to make any preliminary objection in relation to an appeal shall give notice of such preliminary objection to the Court and to the other parties to the appeal, within fourteen days from the date of receipt of the heads of argument or supplementary record of appeal if any.

(3) Where the notice referred to in sub-rule (1) and (2) is not given, the Court may—

(a) refuse to entertain the objection; or

(b) adjourn the hearing and make such further order as the Court may consider just.

(4) This rule applies to a crossappeal.

Prescribed fees

6. (1) The fees set out in the Second Schedule are payable in respect of proceedings in relation to the Court.

(2) A fee shall not be payable upon a criminal appeal, or on an application in connection with a criminal appeal, or for the supply of a copy of the record of appeal in a criminal appeal to an appellant or respondent.

(3) The fee payable on lodging a document shall be paid at the time when the document is lodged.

Receipts

7. Where a fee has been paid in respect of a document, the officer authorised to receive the fee shall endorse an initial on the document stating the fee paid and the number of the receipt recording the payment.

Clerical errors, accidental slips or omissions

8. (1) Clerical errors by the Court or a judge in any court documents or process, or in any judgment, or errors therein arising from any accidental slip or omission, may with leave of court and within seven days of the judgment be corrected by the Court.

(2) The decision made by the Court in sub-rule (1) shall be final.

Oaths

9. (1) Where an oath is required to be taken under the Act, the following provisions shall apply:

(a) the person taking the oath shall hold the Bible in that person's uplifted right hand, or, if that person is physically incapable of doing so, the person may hold the Bible otherwise, or, if necessary the Bible may be held before that person by the officer administering the oath;

(b) the person referred to in paragraph (a) shall say or repeat after the officer administering the oath the words: "I swear by the Almighty God that the evidence/advice I shall give before this Court shall be the truth, the whole truth, and nothing else but the truth. So help me God; and

(c) if the person taking the oath does not wish to be sworn on the Bible or desires to make an affirmation, the person may make the affirmation without being further questioned as to the grounds of such objection or desire, or otherwise, and in such case there shall be substituted for the words, "I swear by the Almighty God" the words "I do solemnly and sincerely affirm that the evidence/ advice I shall give before this Court, shall be the truth, the whole truth and nothing else but the truth."

(2) For the purposes of this rule, "officer" means a person duly authorised by law to administer oaths, and includes an Assistant Registrar, Deputy Assistant Registrar and official interpreter administering an oath in the presence of a judge or the Registrar or other person authorised by any law to administer oaths.

Court documents to be sealed

10. (1) The Court shall seal the following documents on issue—

(a) the appeal; and

(b) any other document which a rule or Practice Direction requires to be sealed.

(2) The Court may place the seal on the document—

(a) by hand; or

(b) by printing a facsimile of the seal on the document whether electronically or otherwise.

(3) A document purporting to bear the Court's seal shall be admissible in evidence without further proof.

Consolidation

11. (1) The Court may, on its own motion or on application by a party, consolidate causes or matters on such terms as it may consider just.

(2) The Court may, for sufficient reason, order two or more appeals to be consolidated on such terms as the Court considers just or may order that the appeals be heard at the same time, or one immediately after the other or may order any of them to be stayed until the determination of any one of the appeals.

Application to High Court

12. Where an application may be made to the Court or the High Court, it shall be made in the first instance to the High Court.

Adjournment

13. The Court may adjourn proceedings, pending or current before it, to another time or place.

FIRST SCHEDULE
(Orders II, V, VII, IX, X and XIII)

Form I
(Order II rule 2(5))

General Heading
Appeal/Application No.: .....

IN THE COURT OF APPEAL HOLDEN AT
CRIMINAL/CIVIL JURISDICTION
BETWEEN:

Appellant/Applicant
and
Respondent

Form II
(Order V rule 2(6))

NOTICE OF ADDRESS FOR SERVICE

Application/Appeal No.: .....

IN THE COURT OF APPEAL HOLDEN AT

CIVIL JURISDICTION

BETWEEN:

and

TAKE NOTICE that the address for service of.....
a Respondent served with the Notice of Appeal herein, is .....

Dated this ..... day of....., 20.....

Respondent (or appellant's Counsel)

.....

To: The District/Registrar of the High Court at .....
The Appellant
(Name)
of

(Address for service)
The Respondent
(Name)
of

(Address for service)
The Master of the Court of Appeal

Filed this ..... day of....., 20....., at .....
Registrar of the Court of Appeal

NOTES:

(1) This Notice must be served on all interested parties who have themselves furnished addresses for service.

Inapplicable words, etc., on this form should be deleted.

Form III
(Order VII rule 1(1) and
Order X rule 2(12))

NOTICE OF MOTION

Appeal/Application No.: .....

IN THE COURT OF APPEAL HOLDEN AT

CRIMINAL/CIVIL JURISDICTION

BETWEEN:

Appellant/Applicant
and
Respondent

An application in respect of a judgment of the High Court (Hon. Justice .....)
appeal fromsitting at ..... in its original/appellate jurisdiction and dated the..... day of....., 20.....

TAKE NOTICE that the Court of Appeal will be moved before Justice ..... on..... day, the ..... day of....., 20....., at the hour of..... o'clock in the noon, or so soon thereafter as Counsel can be heard,

byName.....
of Counsel on behalf of the Appellant/Respondent/

for an Order that-

on the grounds that-

(Signed)

Appellant/Applicant

Address for service

Dated at ..... this..... day of....., 20 .....

Master of the Court of Appeal of Zambia
Date
To: The Appellant
of
The Respondent
of

Name..... for the Applicant will read, in support of the application the affidavit(s) of ..... sworn the ..... day(s) of....., 20.....

NOTES:

(1) A Notice of Motion to be heard by the full Court shall commence as follows:

"TAKE NOTICE that the Court of Appeal will be moved on ....."

(2) Inapplicable words, etc., on this form should be deleted.

Form IV
(Order VII rule 1 (1) and
Order X rule 2(13))

SUMMONS

Appeal/Application No.: .....

IN THE COURT OF APPEAL HOLDEN AT

CRIMINAL/CIVIL JURISDICTION

BETWEEN:

Appellant/Applicant
and
Respondent

An application in respect of a judgment of the High Court (Justice .....)appeal fromsitting in its original/appellate jurisdiction at .....and dated the ..... day of ....., 20.....

LET ALL PARTIES concerned appear before Justice .....
in Court/Chambers at ..... on the ..... day of 20....., at the hour of ..... o'clock in the ..... noon, or so soon thereafter as Counsel can be heard on the hearing of an application on the part of the Appellant/Respondent/..... for an Order that-
on the grounds that-

Dated at ..... this ..... day of ....., 20.....

This Summons was taken out by ..... whose address for service is .....
.....

Master of the Court of Appeal of Zambia

Dated the ..... day of .....,20.....

To: The Appellant
of
The Respondent
of

Name..... for the Applicant will read in support of the application the affidavit(s) of ..... sworn on the ..... day(s) of....., 20.....

NOTES:

(1) A Summons before the Master should commence as follows: "LET ALL PARTIES attend before the Master of the Court at the Registry of the Court of Appeal at Lusaka ....."

(2) Inapplicable words, etc., on this form should be deleted.

Form V
(Order VII rule 2(7))

NOTIFICATION TO APPELLANT OF A JUDGE'S DECISION

Appeal/Application No.: .....

IN THE COURT OF APPEAL HOLDEN AT
CRIMINAL JURISDICTION
BETWEEN:

Appellant

and

THE PEOPLE

THIS IS TO GIVE YOU NOTICE that Justice ..... a Judge of the Court of Appeal acting under section 9 of the Court of Appeal Act, 2016, has in terms of rules ..... considered your application(s) for-

(a) extension of time within which notice of intention to appeal, or, notice of application for leave to appeal, may be given;

(b) leave to appeal against conviction and/or sentence;

(c) legal aid to be assigned to you;

(d) bail;

and has determined the same and has .....

Dated at ..... this ..... day of ....., 20.....

Master of the Court of Appeal of Zambia

This Notice was issued on the ..... day of ....., 20.....

To: The above named and to-

The Director of Public Prosecutions.
The Commissioner of Prisons.
The Assistant Commissioner, C.I.D., Lusaka.
The Superintendent, State Prison at .....
The District/Registrar of the High Court at .....
The Senior/Clerk of the Court at .....

NOTES:

(1) Inapplicable words, etc., on this form are to be deleted.

(2) If any of the above-mentioned applications have been refused the appellant may, if he so desires, have the same determined by the full Court duly constituted for the hearing of appeals. In such case he MUST WITHIN FOURTEEN DAYS of the RECEIPT of this Notice give notice requiring application to be determined by the Court to the Master of the Court on Form VI. A copy of Form VI for the use of the appellant, if he so desires, is enclosed with his copy of the Notice. If the appellant does not wish to proceed further with his application(s) he should complete Form XI (Abandonment of Appeal).

Form VI
(Order VII rule 2(9))

NOTICE BY APPELLANT REQUIRING APPLICATION TO BE DEALT WITH BY THE COURT

Appeal/Application No.

IN THE COURT OF APPEAL HOLDEN AT

CRIMINAL JURISDICTION

BETWEEN:

Appellant

and

THE PEOPLE

Respondent

I, ...received on the ..... day of ....., 20 ..... , your notification that my application(s) for-

(a) extension of time within which notice of intention to appeal, or notice of application for leave to appeal to the Court may be given;

(b) leave to appeal against conviction and/or sentence;

(c) legal aid to be assigned to me;

(d) bail;

(e) ;

has/have been refused;

DO HEREBY give you Notice that I desire that the said applications shall be considered and determined by the Court and desire/do not desire to be present at the hearing of my application.

Dated at ..... this ..... day of ....., 20.....

(Signed)

Appellant (or the appellant's Counsel)

Witness

(If not legally represented)

To: The Master of the Court of Appeal

The Director of Public Prosecutions

The District/Registrar of the High Court at

(Case No. .....).

or The Senior/Clerk of Court at ..... (Case No. .....).

NOTES:

(1) Inapplicable words, etc., on this form should be deleted.

(2) If you wish to state any reason IN ADDITION to those set out by you in your original Notice upon which you submitted that the Court should grant your said application(s) you may do so in the space overleaf BUT you must not repeat reasons that you have already stated in any previous Notice or Notices.

Form VII

(Order VII rule 2(10))

NOTIFICATION OF RESULT OF APPLICATION TO THE FULL COURT

Appeal/Application No.....

IN THE COURT OF APPEAL HOLDEN AT

CRIMINAL JURISDICTION

BETWEEN:

Appellant
and
THE PEOPLE
Respondent

THIS IS TO GIVE YOU NOTICE that the Court of Appeal as duly constituted for the hearing of appeals under section 5 of the Court of Appeal Act, 2016, has this day considered the application(s) of the above-named appellant for-

(a) extension of time within which notice of intention to appeal or, notice of application for leave to appeal, may be given;

(b) leave to appeal against;

(c) legal aid to be assigned to him;

(d) bail;

(e) leave to call further evidence;

(f) ;

and has finally determined the same and has-

Dated at ..... this ..... day of ....., 20.....

Master of the Court of Appeal

This Notice was issued on the .....day of....., 20.....

To: The above named ..... and to-

The Director of Public Prosecutions.
The Commissioner of Prisons.
The Superintendent, State Prison at
The District/Registrar of the High Court at
The Assistant Commissioner, C.I.D., at Lusaka.
The Senior/Clerk of the Court at

NOTE: Inapplicable words, etc., on this form to be deleted.

FormVIII
(Order IX rule 1(9))

NOTICE OF INTENTION TO APPEAL

Court of Appeal No.: .....

IN THE COURT OF APPEAL HOLDEN AT
CRIMINAL JURISDICTION
BETWEEN:

Appellant
Versus
THE PEOPLE
Respondent

TAKE NOTICE that I, ..., appeal to the Court of Appeal against
the conviction/sentence/order(s) of the Subordinate Court of the ..... class/High Court original of Court sitting in its .....
original jurisdiction (Justice .....) holden at ..... on the ..... day of ....., 20.....

WHEREBY the Subordinate Court/High Court convicted me of
and sentenced me to
and made an order/orders that

My appeal is against-
Conviction and/or sentence.
The order/orders of the Court on the following grounds:
GROUNDS:
The appellant desires/does not desire to attend the hearing of the appeal.
Dated at this ..... day of ....., 20.....
(Signed)
Appellant (or appellant's Counsel)
Address for service

To: The District/Registrar of the High Court at Lusaka/Ndola (Case No.)
or The Senior/Clerk of the Court at ..... (Case No. .....)
Filed this ..... day of ....., 20..... , at .....

District/Registrar of the High Court
or
Senior/Clerk of the Court
at
The appellant is/is not in custody.
The appellant is/is not on bail.

NOTES:

(1) Inapplicable words on this form should be deleted.

(2) If the appellant is in custody, the date of filing shall be the date the Notice is lodged with the Officer in Charge of the Prison.

(3) If there is insufficient space provided on this form for grounds of appeal, the grounds may be submitted upon a separate sheet of paper and be dated, signed, etc., as provided on this form.

Form IX
(Order IX rule 1(9))

NOTICE OF APPLICATION TO THE COURT FOR LEAVE TO APPEAL

Court of Appeal Application No.: .....

IN THE COURT OF APPEAL HOLDEN AT

CRIMINAL JURISDICTION

BETWEEN:

And

TAKE NOTICE that I, ..., having been convicted by the ..... Court, holden at ....., on the ..... day of ....., 20....., of the offence of ....., and having been sentenced to ..... and the said Court having further ordered .....;

AND having appealed to the High Court against the said conviction/sentence/Order(s);

AND the High Court (Justice) holden at ..... on the ..... day of ....., 20....., having by judgment dated the.....day of....., 20.....

(High Court No .....)

dismissed my appeal

allowed my appeal only in part by ordering that

NOW DO HEREBY apply for leave to appeal against the said judgment of the High Court on the grounds hereinafter set forth.

GROUNDS:

Dated at ..... this .....day of....., 20.....

(Signed)

Appellant (or appellant's Counsel)

Witness

(If not represented by Counsel)

To: The Master of the Court of Appeal (in triplicate).

NOTE: Inapplicable words, etc., on this form should be deleted.

Form X
(Order IX rule 1(10))

GROUNDS OF APPEAL

Appeal No.: .....

IN THE COURT OF APPEAL HOLDEN AT
CRIMINAL JURISDICTION
BETWEEN:

Appellant
and
THE PEOPLE
Respondent

WHEREAS I, ..., on the ..... day of ....., 20.....appealed/made application for the leave to appeal to the Court of Appeal against the judgment of the Court of Appeal/High Court dated the ..... day of ....., 20.....;

AND WHEREAS on the ..... day of ..... 20....., the appellant filed a Notice of Intention to Appeal/was granted leave to appeal with/without grounds of appeal:

TAKE NOTICE that the appellant will rely on the following/additional or amended grounds of appeal:

GROUNDS-see overleaf/attached:

Dated at ..... this ..... day of ....., 20.....

(Signed)
Appellant (or appellant's Counsel)
Address for service

Witness
(If appellant is not legally represented)
To: The Registrar/District of the Clerk of Court/High Court at
The Master of the Court of Appeal
The Director of Public Prosecutions

Filed this ..... day of ....., 20....., at
.....

Clerk of Court/Registrar of the High Court
The appellant is/is not in custody.
The appellant is/is not on bail.
The appellant desires/does not desire to attend the hearing of the appeal.
NOTES:

(1) Inapplicable words, etc., on this form should be deleted.

(2) If the appellant is in custody the date of filing shall be the date the Memorandum is lodged with the Officer in Charge of the Prison.

(3) If there is insufficient space provided on this form for grounds of appeal the same may be submitted upon a separate sheet of paper and be dated, signed, etc., as is provided on this form.

Form XI
(Order IX rule7(1))

ABANDONMENT OF APPEAL (CRIMINAL)

Appeal/Application No.: .....

IN THE COURT OF APPEAL HOLDEN AT

CRIMINAL JURISDICTION

BETWEEN:

Appellant/Applicant

and

Respondent

TAKE NOTICE that I, ..., the above-named Appellant/ Applicant do hereby abandon-

all futher proceedings in the above matter;

my appeal in the above matter in so far as it relates to

Dated at ..... this ..... day of....., 20.....

(Signed)

Appellant/Applicant (or appellant's Counsel)

Address for service.

Witness

(If Appellant/Applicant is not represented by Counsel)

To: The Master of the Court of Appeal

The Director of Public Prosecutions.

NOTE: Inapplicable words in this form should be deleted.

Form XII
(Order IX rule 7(2))

NOTIFICATION OF ABANDONMENT OF AN APPEAL

Appeal No.....

IN THE COURT OF APPEAL HOLDEN AT

CRIMINAL JURISDICTION

BETWEEN:

Appellant

and

THE PEOPLE

Respondent

TAKE NOTICE THAT the above-named appellant having filed a Notice of Abandonment dated the ..... day of ....., 20..... the appellant's appeal to the Court against conviction and/or sentence is deemed to have been dismissed by the said Court.

Dated at ..... this ..... day of ....., 20.....

Master of the Court of Appeal

This Notice was issued on the day of ....., 20.....

To: The above named and to-

The Director of Public Prosecutions.

The Commissioner of Prisons.

The Superintendent, State Prison, at

The District/Registrar of the High Court at (Case No. .....)

or Senior/Clerk of the court at ..... (Case No. .....)

The Assistant Commissioner, C.I.D., at Lusaka.

NOTE: Inapplicable words, etc., on this form are to be deleted.

Form XIII
(Order IXrule 21(1))

APPLICATION FOR BAIL PENDING APPEAL

Appeal/Application No.: .....

IN THE COURT OF APPEAL HOLDEN AT

CRIMINAL JURISDICTION

BETWEEN:

Appellant

and

Respondent

I, ..., having been convicted of the offence .....of ..... and now being detained in the Prison undergoing a sentence of ..... years/months and having given notice of intention to appeal to the Courtagainst the judgment of the High Court/Case No. .....)dated ....., 20..... relating to .....my said conviction and sentence;

DO HEREBY give you Notice that I desire to apply to the Court for bail pending the hearing of my said appeal with/without sureties, on the following grounds:

The undermentioned persons are willing to become sureties for my presence at the hearing and determination of the appeal:

Name of surety: .....
Occupation:.....
Address: .....
Amount for which surety is willing to be bound ..... fee units:
Name of surety: .....
Occupation: .....
Address: .....
Amount for which surety is willing to be bound ..... fee units:
(Signed)
Appellant: .....
Address of service: .....

Witness

Dated at ..... this ..... day of ....., 20.....

To: The Master of the Court of Appeal

NOTES:

(1) This form MUST be signed or thumbprinted at the time of application by the appellant, unless he is under disability.

(2) Inapplicable words on this form should be deleted.

(3) If there is insufficient space provided on the form for grounds the same may be submitted upon a separate sheet of paper and be dated and signed, etc., as is provided on this form.

FormXIV
(Order IX rule 21(1))

RECOGNIZANCE OF BAIL OF APPELLANT

IN THE COURT OF APPEAL HOLDEN AT

CRIMINAL JURISDICTION

Appeal Number ..... of 20.....

BETWEEN:

Appellant

and

THE PEOPLE

Be it remembered that whereas ..... was convicted of ....on the ..... day of ..... 20....., and was thereupon sentenced to .....and ordered to ..... and now is in .....lawful custody in the State Prison at ..... and has .....duly appealed against conviction (and sentence) (and order) to the Court and has applied to the said Court for bail pending the determination of the appeal, and the said Court has granted the appellant bail on entering into the appellant's own recognizances in the sum of ..... and with sureties each in the sum of ....., the said ..... acknowledges owing to the Republic of Zambia the said sum of ..... ofgoodand lawful money of the Republic of Zambia, to be made and levied of the appellant's goods and chattels, lands and tenements to the use of the said Republic if the appellant (Name) ..... fail inthe condition endorsed.

Master of the Court of Appeal

CONDITION

The condition of the within written recognizance is such that if he the appellant (Name) ..... shall personally appear and surrender at and before the Court at .....at each and every hearing of the appellant's appeal to the said Court and at the final determination thereof and to then and there abide by the judgment of the said Court and not to depart or to be absent from the said Court at any such hearing without the leave of the said Court, and in the meantime not to depart out of the Republic of Zambia, then this recognizance to be void, or else to stand in full force and effect.

The following portion to be filled up and signed by the appellant:

On release on bail my residence, to which Notices, etc.. are to be addressed, will be as follows:

(Signed)

Appellant

Date....., 20 .....

Fonn XV
(Order IX rule 21(1))

CERTIFICATE OF SURETY

IN THE COURT OF APPEAL CRIMINAL JURISDICTION

Appeal No. of 20.....

BETWEEN:

THE PEOPLE

and

Appellant

THIS IS TO CERTIFY that you, ...of ....., whose signature is below, have been accepted by the Court of Appeal, on this ..... day of..... 20 ....., as surety for the above-mentioned appellant, in the sum of ..... for the due appearanceof the said ..... before the Court at each and every hearing of the appellant's appealand at the final determination thereof and that the said ..... shall thenabide by the judgment of the said Court and not depart or be absent from the said court at any such hearing without leave of said Court in the meantime not to depart out of the Republic of Zambia.

AND THAT your said recognizance will be duly forwarded by me to the Master of the Court of Appeal.

Date.....20,.....

At.....

I acknowledge that the above Certificate is correct.

Surety.....

Form XVI
(Order IX rule 21(1))

NOTICE TO PRISON SUPERINTENDENT TO RELEASE AN APPELLANT ON BAIL

IN THE COURT OF APPEAL HOLDEN AT

CRIMINAL JURISDICTION

Appeal No. of 20.....

BETWEEN:

THE PEOPLE

and

Appellant

To: The Superintendent, State Prison at

.....

WHEREAShas duly appealed

(and the appellant's sentence of)

(and the order)

and having duly applied to the said Court has been granted bail by the said Court pending the determination of the appellant's appeal on entering into recognizance(s) himself in the sum of ....,(and with ..... sureties each in the sum of .....), in the forms provided;

AND WHEREAS I, , the Master of the Court of Appeal, have been given to understand that the said ..... is now in your lawful custody in the said Prisonunder the said conviction and sentence;

AND WHEREAS I have received a recognizance of the said ..... (and recognizance from ..... sureties for the said .....) and the said recognizances are in due form and in compliance with the Order of the said Courtadmitting the saidto bail:

NOW I,

.....

DO GIVE YOU NOTICE that if the said ..... do remain in your custody under the said conviction (and sentence) (and order) and for no other cause you shall on receipt of this notice suffer the appellant to go at large.

AND THIS NOTICE shall be your authority in that behalf.

Master of the Court of Appeal

Dated at ..... this ..... day of ....., 20.....

This Notice was issued on the ..... day of ....., 20.....

Inapplicable words, etc., to be deleted.

Form XVII
(Order X rule 3(8))

NOTICE OF APPEAL

IN THE COURT OF APPEAL HOLDEN AT

CIVIL JURISDICTION

BETWEEN:

and

TAKE NOTICE that ..... being dissatisifed with the judgment of Justice ..... given in the High Court at on the ..... day of....., 20....., intends to appeal to the Court of Appeal against the whole judgment (No.) or against such part or parts of the said Judgment ( ) as decides that .....

Dated at ..... this ..... day of....., 20 .....

Appellant (or the appellant's Counsel)
Address for service
To: The District/Registrar of the High Court at
The Respondent to the intended appeal
(Name).....
of.....
(Address for service)
The Master of the Court of Appeal
Filed this ..... day of....., 20....., at ....
Register of the Court of Appeal
at

NOTES:

(1) A respondent served with this Notice is required within 14 (fourteen) days after such service to file in these proceedings and to serve upon the appellant a Notice of his address for service for the purpose of the intended appeal, and within a further 14 (fourteen) days to serve a copy thereof on every other respondent named in this Notice who has filed a Notice of an address for service. In the event of non-compliance, the appellant may proceed exparte.

(2) Inapplicable words, etc., on this form should be deleted.

Form XVIII
(Order X rule 3(11))

MEMORANDUM OF APPEAL
Appeal No.
IN THE COURT OF APPEAL HOLDEN AT
CIVIL JURISDICTION
BETWEEN:
Appellant
and
Respondent
the Appellant above named, appeals to the Court of Appeal against the whole/part(s) of the judgment.....() in the above-mentioned matter on the following ground(s), namely:
GROUNDS (Here set out what part or parts of the judgment ..... is complained ..... of and the ground or grounds of appeal:
Dated at ..... this .....day of....., 20.....

Appellant (or appellant's Counsel)
Address for service

To: The Master of the Court of Appeal
The Respondent
(Name)
.....of
.....

(Address for service)
The District/Registrar of the High Court at
Filed at ... . this ..... day of ....., 20.....

Master of the Court of Appeal
NOTE: Inapplicable words, etc., on this form should be deleted.

Form XIX
(Order X rule 11(1))

RESPONDENT'S NOTICE OF CROSS-APPEAL

Appeal No.

IN THE COURT OF APPEAL HOLDEN AT.....
CIVIL JURISDICTION
BETWEEN:
Appellant
and
Respondent

TAKE NOTICE that, in the hearing of this appeal,.....

the Respondent above named, being dissatisfied with the judgment the subject of the said appeal, will contend that the said judgment ought to be varied to the extent and in the manner and upon the grounds hereinafter set out, namely:

(Here set out the variations contended for and the grounds relied on in support):

Dated at ..... this ..... day of....., 20.....

Respondent (or respondent's Counsel)
Address for service
To: The Master of the Court of Appeal
The Appellant
(Name).....
of.....
(Address for service)
The Respondent
(Name).....
Of.....

(Address for service)
The District/Registrar of the High Court
Filed this ..... day of....., 20 .....,
at
Master of the Court of Appeal
NOTES:

(1) This Notice must be served on all interested parties who have themselves furnished addresses for service.

(2) Inapplicable words, etc., on this form should be deleted.

Form XX
(Order X rule 12(1))

WITHDRAWAL OF APPEAL
Appeal No.: .....
IN THE COURT OF APPEAL HOLDEN AT
CIVIL JURISDICTION
BETWEEN:
Appellant
and
Respondent

TAKE NOTICE that the Appellant/Respondent .....
(Name).....
hereby discontinues all further proceedings in the above-mentioned appeal, or such part thereof as relates to
.....(set out)

Dated at ..... this ..... day of ....., 20.....

Appellant/Respondent (or his Counsel)
Address for service
To: The Master of the Court of Appeal
The Appellant
(Name)
of
(Address for service)
The Respondent
(Name)
of
(Address for service)

NOTES:

(1) This Notice must be served on all interested parties who have themselves furnished addresses for service.

(2) Inapplicable words, etc., on this form should be deleted.

Form XXI
(Order X rule 18(1))

NOTICE OF NON-APPEARANCE

Appeal No.: .....

IN THE COURT OF APPEAL HOLDEN AT

CIVIL JURISDICTION

BETWEEN:

Appellant

and

Respondent

TAKE NOTICE that the Appellant/Respondent .....
(Name).....

(1) Does not desire to be present in person or by practitioner at the hearing of the above-mentioned appeal, or at any proceedings subsequent thereto.

(2) Submits herewith written argument for the consideration of the Court of Appeal as set out in the Appendix hereto.

Dated at ..... this ..... day of ....., 20.....
Appellant/Respondent
Address for service
To: The Master of the Court of Appeal
The Appellant
(Name)..... .....of.....
(Address for service)
The Respondent
(Name)
of
(Address for service)

APPENDIX

(Here set out the argument to be put forward)

Appellant/Respondent

NOTES:

(1) This Notice must be served on all interested parties who have themselves furnished addresses for service.

(2) Inapplicable words, etc., on this form should be deleted.

Form XXII
(Order XIII rule 3(4))

NOTICE OF APPLICATION FOR EXTENSION OF TIME
(CRIMINAL)

Application No.: .....

IN THE COURT OF APPEAL HOLDEN AT

CRIMINAL JURISDICTION

BETWEEN:

Applicant/Appellant
and
THE PEOPLE
Respondent

TAKE NOTICE that I, ..., being desirous of appealing against the judgment of the High Court (Justice) holden at .....dated the .....day of....., 20.....;

DO HEREBY give notice of application for an extension of time within which I may give notice of intention to appeal or notice of application for leave to appeal against the said judgment for the reasons and upon the grounds next following:

(1) Reason for being out of time and grounds for extension
(2) Particulars and dates of the conviction, sentence and order of the court of trial; and of the decision of the Subordinate/High Court if appealed to
(3) Grounds of appeal

Dated at ..... this..... day of....., 20.....

(Signed)
Applicant (or appellant's Counsel)
Applicant's address for service

Witness

(If applicant is not legally represented)

To: The Master of the Court of Appeal
The Director of Public Prosecutions

NOTES:

(1) If not in custody the address of the applicant must be shown in full.

(2) Inapplicable words, etc., on this form should be deleted.

(3) If there is insufficient space provided on this form for reasons, etc., the same may be submitted upon a separate sheet of paper and be dated, signed, etc., as is provided on this form.

Form XXIII
(Order XIII rule 3(4))

NOTICE OF APPLICATION FOR EXTENSION OF TIME

Application No.

IN THE COURT OF APPEAL HOLDEN AT.....

CIVIL JURISDICTION

BETWEEN:

and

TAKE NOTICE that ..... being desirous of appealing against the judgment (.....) of Justice ..... given in the High Court at .....) on the ..... day of ....., 20.....;

HEREBY GIVES NOTICE OF APPLICATION for an extension of time within which to give notice of appeal, or notice of application for leave to appeal against the said judgment (No.) for the reasons
and upon the grounds next following:

(1) Reasons for being out of time and grounds for an extension:

(2) Grounds of appeal

Dated at ..... this ..... day of ....., 20.....

Appellant (or his Counsel)
Address for service

To: The Master of the Court of Appeal
The Respondent:
(Name).....
of.....
(Address for Service)
NOTES:

(1) Form XVII -Notice of Appeal (Civil)-duty completed or a copy of the Notice of Motion or Summons for leave to appeal must be forwarded with this application.

(2) Inapplicable words, etc., on this form should be deleted.

Form XXIV
(OrderXIIIrule 4(4))

NOTICE OF HEARING

Appeal/Application No.: .....

IN THE COURT OF APPEAL HOLDEN AT

CRIMINAL JURISDICTION

BETWEEN:

Appellant/Applicant

and

THE PEOPLE

Respondent

TAKE NOTICE that the above Appeal/Application will be heard and determined by the Court of Appeal sitting at ..... on ..... day of....., 20..... at the hour of o'clock in the..... noon or so soon thereafter as Counsel may be heard.

Court No.

Before

Dated at ..... this ..... day of....., 20.....

Master of the Court of Appeal

To: The Director of Public Prosecutions.

The State Advocate at .....

.....of Counsel for the Appellant/Applicant.

The Superintendent, State Prison at.....

The Appellant/Applicant (if attending)

Form XXV
(Order XIII rule 4(4))

NOTICE OF HEARING

Appeal/Application No.: .....

IN THE COURT OF APPEAL HOLDEN AT

CIVIL JURISDICTION

BETWEEN:

Appellant/Applicant

and

Respondent

TAKE NOTICE that the above-mentioned Appeal/Application will be heard and determined by the Court of Appeal sitting at ..... on the .....day of ....., 20 ..... at the hour of ..... o'clock in the ..... noonor so soon thereafter as Counsel may be heard.

Court No.

Before

Dated at ..... this .....day of....., 20.....

Master of the Court of Appeal

To: The Appellant/Applicant

The Respondent

The District/Registrar of the High Court at

and to

Notice Board.

File.

SECOND SCHEDULE

(Order XIII rule 6)

PRESCRIBED FEES

No.	*Item*	*Fee Units*	*Documents to be Receipted*
1.	On filing an affidavit	85	Affidavit
2.	On sealing a writ of subpoena for each Witness	170	The Praecipe
3.	On filing a Certificate of Service	55	The Certificate
4.	On filing a Certificate of Urgency before A single Judge	225	The Certificate
5.	On entering or sealing any order	170	The Order
6.	On filing any notice not specifically Provided for	170	The filed copy
7.	On filing a notice of motion	835	The filed copy
8.	On every notice of appeal	835	The filed copy
9.	On every memorandum of appeal	115	The filed copy
10.	On filing a respondant's notice	170	The filed copy
11.	On filing a record of appeal	230	The filed copy
12.	On filing an application for leave to Appeal to the Court	230	The filed copy
13.	On leave being granted to appeal to the Court	230	The filed copy
14.	On filing a notice of Cross Appeal	835	The filed Copy
15.	On filing of a supplementary record	230	The filed copy
16.	On every bond	50	The filed copy
17.	On hearing any appeal per day or part of a day	170	The order
18.	On entering or seal a Judgement, decree or order given, directed or made at the hearing of an appeal or matter in Court	85	The decree or order
19.	On reference from the Master to a Judge of the Court	70	The Reference

20.	On filling a notice of taxation	115	The notice of taxation
21.	On filing a bill of costs for taxation	10 percent of the taxed bill	The bill of costs
22.	On filing the Certificate as allocaur of the results of taxation of a bill of cost together with a further 500 fee units for every 500 fee units or part thereof of the amount allowed (excluding this fee)	230	The Certificate or allocaur
23.	On filing consent on agreed costs	5 percent of the agreed costs	The Consent Order

PART II

General

No.	*Item*	*Fee Units*	*Documents to be Receipted*
1.	On every search per case file	115	The Search form
2.	On personal general searches in the Judgmentregister for unspecified number of names in any one calendar year, in any register of the court	2780	In cash payable to theRegistrar of the Court
3.	For copies of Judgement, or records, for additional copies of documents or proceedingsfurnished upon the direction of the Registrar or Master, per page or part thereof	20	The filed copy
4.	On sealing additional copies of any Judgment or Order	85	The filed copy
5.	On certifying any document as an officer copy and additional copy of document under Seal	58	The filed copy
6.	Transcript of shorthand writers notes or other wise recorded proceedings, per page or part thereof	30	The application
	(a) Certified translation by an interpreter of the Court, per page as part thereof	30	The filed Copy
	(b) Checking, correcting and certifying a translation not made by an interpreter of the Court, per page or part thereof	30	The filed copy
7.	Service of any process as proceedings required to be served by the Court as prescribed	30	The filed copy

8.	Transcript of record of appeal per page	5	The filed copy
9.	On filing an affidavit of service	30	The filed copy
10.	Notary public per document	500	The filed copy
11.	On filing summons in Chambers (including Summons for further directions		
12.	On filing an interlocutory notice or motion or Application not specifically provided form	280	The filed copy or Application
13.	On filing a consent judgment or consent Order	90	The filed order Judgment of
14.	On filing an application for restoration of a matter Which has been struck out for non-attendance or Any other reason	280	The filed application
15.	On filing bundles or supplementary bundles	480	The filed copy
16.	On sealing exparte order or any order made in Chambers	60	The order
17	On filing any notice not specifically provided for	278	The filed copy

JUSTICE I. C. MAMBILIMA,
Chief Justice

LUSAKA
1st September, 2016