



Dominica Official Gazette

Published by Authority

VOL. CXXXVII

ROSEAU, THURSDAY JULY 24, 2014

No. 32

Departmental and Other Notices

EASTERN CARIBBEAN SUPREME COURT
CIVIL PROCEDURE RULES

PRACTICE DIRECTION 5 & 6
No. 1 of 2014

SERVICE OF PROCESS BY ELECTRONIC MEANS

This Practice Direction is made pursuant to Rule 4.2(1) of the Eastern Caribbean Supreme Court Civil Procedure Rules 2000 and supplements Parts 5 and 6 of the Rules.

Practice Direction 5, No. 1 of 2011 is hereby revoked and substituted by this Practice Direction.

1. INTRODUCTION

1.1 This Practice Direction makes provision for the service of process by electronic means for documents filed in the High Court and Court of Appeal.

2. CONTEXT

2.1 In this Practice Direction

(1) “Court” means the High Court or Court of Appeal whichever is applicable in the context.

(2) “document” means a claim form or any other document.

(3) “electronic means” means any form of electronic communication of the contents of a document and includes email, online shared drives, or FAX.

3. SERVICE BY ELECTRONIC MEANS

3.1 A party who wishes to serve a document by electronic means must first obtain in writing, from the party to be served or the legal practitioner acting for that party—

(1) that the party to be served or the legal practitioner is willing to accept service by electronic means;

(2) the particular electronic means which the party to be served is willing to accept;

(3) the electronic identification to which the document must be sent; *e.g.* FAX number, e-mail address, online shared drive or other electronic means; and

(4) whether there are any limitations to accepting service by such means; *e.g.* the format in which a document is to be sent, the maximum size of attachments that may be received, if a company, the hours of business *etc.*