



HIGH COURT ACT 1991

HIGH COURT OF JUSTICE (AUDIO RECORDING) RULES 1998

Approved by Tynwald - 18th March 1998

Coming into operation - 1 April 1998

In exercise of the powers conferred on the Deemsters by sections 25 and 27 of the High Court Act 1991(a), and of all other enabling powers, the following Rules are hereby made:-

Citation, commencement and interpretation

1. (1) These Rules may be cited as the High Court of Justice (Audio Recording) Rules 1998.

(2) Subject to section 25(4) of the High Court Act 1991, these Rules shall come into operation on 1 April 1998.

(3) In these Rules, "recording" means an audio recording of a hearing in the High Court which is required to be made under section 27(4) of the High Court Act 1991.

Retention of audio recordings

2. (1) A recording shall be kept by the Chief Registrar for a period of not less than 3 years following the conclusion of the action or matter to which the hearing relates.

(2) For the purposes of paragraph (1), an action or matter is concluded when (disregarding any power of the High Court to grant leave to appeal out of time) there is no further possibility of an appeal in respect of the action or matter.

Exclusion of access to recordings in certain cases

3. (1) In respect of any hearing from which the public is excluded, a person who is not a party to the action or matter to which the hearing relates is not entitled to obtain a copy of the recording of the hearing.

(2) In respect of any *ex parte* hearing, a party to the action or matter to which the hearing relates is not entitled to obtain a copy of the recording of the hearing unless he or his counsel was present at the hearing.

(3) Paragraphs (1) and (2) are subject to any order made by the High Court permitting any person or party to obtain a copy of a recording of a hearing.

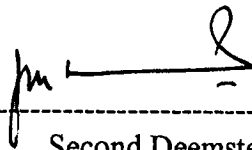
Made

17th FEBRUARY

1998



First Deemster and Clerk of the Rolls



Second Deemster

EXPLANATORY NOTE

(This Note is not part of the Rules)

These Rules are made under the High Court Act 1991 and deal with certain matters relating to the recording of hearings in the High Court. The Rules require recordings to be kept for a minimum period of 3 years. The Rules make special provision for the restriction of access to recordings in the case of certain private hearings.