L.N 128 of 2006

CODE OF ORGANIZATION AND CIVIL PROCEDURE (Cap.12.)

Rules of Court for the Maintenance of Good Order in the Courts of Justice, 2006

The President of Malta has approved the following Rules of Court made by the Rule Making Board constituted in terms of article 29 Code of Organization and Civil Procedure.

Title.

1. These rules may be cited as the Rules of Court for Maintenance of Good Order in the Courts of Justice, 2006.

Maintenance of good order. Cap. 12.

2. (1) No person shall, under the penalties laid down in article 990 of the Code of Organization and Civil Procedure:-

(a) except in such areas as may be designated for the purpose by the Director General (Courts) with the consent of the Chief Justice, expose for sale or sell any kind of food or other things within the precincts of the Courts of Justice, or, except in such areas as so designated, eat or partake of food or beverages within such precincts; or

(b) smoke within the precincts of the Courts of Justice in such areas to which the public have access other than in such areas as may be designated for that purpose by the Director General (Courts) with the consent of the Chief Justice; or

(c) vociferate, within the precincts of the Courts of Justice, in a manner to disturb the sittings of the court; or

(d) keep any ringing mechanism of any mobile or cellular phone or any other similar device switched on within any hall where the court sits, during a sitting of the court or tribunal; or

(e) bring within the precincts of the Courts of Justice, any child under the age of thirteen years, except where such child has been summoned as a witness before a court or other tribunal sitting within the said precincts, or where such court or tribunal is of the opinion that the presence of the child is required in connection with any proceedings before it, or as may otherwise be provided by the Director General (Courts) with the consent of the Chief Justice; or

(f) enter within the precincts of the Courts of Justice without complying with the security procedures in force as established by the Director General (Courts); or

(g) during the hearing of a case in any hall take, or attempt to take, any photograph or film by any means whatsoever, except when the taking of such photograph or film has been ordered or authorised by a court or tribunal in connection with any proceedings before it; or

(h) take or attempt to take anywhere within the precincts of the Courts of Justice any photograph or film by any means whatsoever without the permission of the Director General (Courts) and the Chief Justice.

(2) Where any act as is mentioned in sub-rule (1) occurs during the hearing of a case, the judge or magistrate, or in the case of a collegial court, the president of that court shall summarily proceed as provided in article 990 of the Code of Organization and Civil Procedure after hearing the person to whom the act is attributed; and in all other cases the procedure prescribed in article 68(3) of the said Code shall be followed.

Cap. 12.

Improper dress.

3. (1) Every court executive officer may refuse entry into the precincts of the Courts of Justice to any person who, in his opinion, is not properly dressed:

Provided that where such person has been summoned to appear before a court or tribunal the said officer shall, before proceeding further, inform the judge, magistrate or member of the tribunal before whom that person was due to appear, and shall take instructions from the said judge or magistrate or member of the tribunal as to how he should proceed.

(2) The Director General (Courts) shall, from time to time, inform the general public as to the type of dress which is regarded as unacceptable within the precincts of the Courts of Justice.

Revocation. S.L. 12.03.

4. The Maintenance of Good Order in the Courts of Justice Rules of Court are hereby revoked.