



In the Supreme Court of Bermuda

A/50

21st February 2025

CIRCULAR NO. 5 OF 2025

TO ALL ATTORNEYS:

RE: RULES OF THE SUPREME COURT AMENDMENT RULES 2025

This Circular is to advise that amendments are being made to the **Rules of the Supreme Court 1985** (the “**RSC**”). The amendments will make changes to Order 18 of the RSC relating to Personal Injuries.

A copy of the *draft* **Rules of the Supreme Court Amendment Rules 2025** (the “**Amendment Rules**”) are attached to this Circular.

It is anticipated that Amendment Rules will come into operation on **1 March 2025**.

Dated the 21st day of February 2025



ACTING REGISTRAR

CC: The Attorney-General's Chambers
Department of Public Prosecutions
Hamilton Police Station
Commissioner of Police
Commissioner of Corrections
Magistrates Court
Bermuda Bar Association
Legal Aid Office

tf/ct



BERMUDA

RULES OF THE SUPREME COURT AMENDMENT RULES 2025

BR 4 / 2025

The Chief Justice, in exercise of the power conferred by section 62 of the Supreme Court Act 1905, makes the following Rules:

Citation

1 These Rules may be cited as the Rules of the Supreme Court Amendment Rules 2025.

Amends Order 18

2 The Rules of the Supreme Court 1985 are amended in Order 18 in rule 12 by inserting the following after paragraph (1)—

“(1A) Subject to paragraph (1B), in every action for personal injuries the plaintiff shall serve with the statement of claim—

- (a) a medical report; and
- (b) a statement of the special damages claimed.

(1B) Where the documents referred to in paragraph (1A) are not served with the statement of claim, the Court may—

- (a) specify the period of time within which the documents are to be served; or
- (b) make such other order as it thinks fit, including an order dispensing with the requirement to serve the documents or staying the proceedings.

RULES OF THE SUPREME COURT AMENDMENT RULES 2025

(1C) For the purposes of paragraphs (1A) and (1B)—

“medical report” means a report substantiating all the personal injuries alleged in the statement of claim which is proposed to be adduced in evidence as part of the plaintiff’s case at trial;

“statement of special damages claimed” means a statement giving full particulars of the special damages claimed for expenses and losses already incurred and an estimate of any future expenses and losses, including loss of earnings and of pension rights.”

Commencement

3 These Rules come into operation on 1 March 2025.

Made this 17th day of February 2025

Chief Justice of Bermuda

[Operative Date: 01 March 2025]