

**No. 29 of 2020**

**VIRGIN ISLANDS  
EASTERN CARIBBEAN SUPREME COURT (VIRGIN ISLANDS)  
(AMENDMENT) ACT, 2020**

**ARRANGEMENT OF SECTIONS**

*Section*

1. Short title.
2. Section 2 amended.
3. Section 24A inserted.

**No. 29 of 2020 Eastern Caribbean Supreme Court (Virgin Islands) (Amendment) Act, 2020**

**Virgin Islands**

**I Assent  
(Sgd.) David D. Archer Jr,  
Acting Governor.  
6<sup>th</sup> January, 2021**

**VIRGIN ISLANDS**

**No. 29 of 2020**

An Act to amend the Eastern Caribbean Supreme Court (Virgin Islands) Act (Cap. 80) and to provide for other matters connected therewith.

[Gazetted 7<sup>th</sup> January, 2021]

ENACTED by the Legislature of the Virgin Islands as follows:

Short title. **1.** This Act may be cited as the Eastern Caribbean Supreme Court (Virgin Islands) (Amendment) Act, 2020.

Section 2 amended. **2.** The Eastern Caribbean Supreme Court (Virgin Islands) Act (referred to in this Act as “the principal Act”) is amended

(a) in section 2 by inserting the following definitions in their proper alphabetical order:

““civil proceedings” meaning proceedings in any civil or commercial matters;

“foreign jurisdiction” means a jurisdiction outside the Territory;

“Territory” means the Virgin Islands.”

Section 24A inserted. Cap. 80 **3.** The Eastern Caribbean Supreme Court (Virgin Islands) Act is amended by inserting a new section 24A as follows:

“Interim relief in the absence of substantive proceedings. **24A.** (1) The High Court or a judge thereof may grant interim relief where proceedings have been or are about to be commenced in a foreign jurisdiction.

(2) On an application for any interim relief under subsection (1) the High Court or a judge thereof may refuse to grant such relief if, in the opinion of the High Court or a judge thereof,

- (a) it has no jurisdiction, apart from this section, in relation to the subject-matter of the proceedings in a foreign jurisdiction; and
- (b) it is inexpedient in the circumstances for the High Court or a judge thereof to grant such relief.

(3) Subsection (1) applies notwithstanding that

- (a) the subject matter of the proceedings in a foreign jurisdiction would not, apart from this section, give rise to a cause of action over which the High Court or a judge thereof would have jurisdiction; or
- (b) the appointment of a receiver or the grant of interim relief sought is not ancillary or incidental to any proceedings in the Territory.

(4) In this section “interim relief”, includes any relief which the High Court or a judge thereof has power to grant in proceedings relating to matters within its jurisdiction, as well as, an order against a non-cause of action defendant.

(5) Where the High Court or a judge thereof has the power at common law to make an order for the provision of documents and information, the High Court or a judge thereof may notwithstanding that

- (a) proceedings may be, will be or have been commenced outside of the Territory; or
- (b) a power to make such an order is available under the provisions of the Evidence (Proceedings in Foreign Jurisdictions) Act,

Cap. 24

grant such an order.

Passed by the House of Assembly this 31<sup>st</sup> day of December, 2020.

(Sgd.) Julian Willock,  
Speaker.

(Sgd.) Phyllis Evans,  
Clerk of the House of Assembly.