

Exhibit A

Order 69 of the Cayman Islands Grand Court Rules

ORDER 69
PROVISIONS AS TO FOREIGN PROCEEDINGS;
SERVICE OF FOREIGN PROCESS

Definitions (O.69, r.1)

1. In this Order -

"a convention country" means a foreign country in relation to which there subsists a civil procedure convention providing for service in that country of process of the Court, and includes a country which is a party to the Convention on the Service Abroad of Judicial and Extra-Judicial Documents in Civil or Commercial Matters signed at the Hague on 15th November 1965; and

"process" includes a citation.

Applications (O.69, r.2)

2. This Order applies to the service on a person in the Islands of any process in connection with civil or commercial proceedings in a foreign court or tribunal where the Clerk of the Court receives a written request for service -

- (a) from the Governor, with a recommendation by him that service should be effected; or
- (b) where the foreign court or tribunal is in a convention country, from a consular or other authority of that country.

Service of process (O.69, r.3)

3. (1) The request shall be accompanied by a translation thereof in English, two copies of the process and, unless the foreign court or tribunal certifies that the person to be served understands the language of the process, two copies of a translation thereof.
- (2) Subject to paragraphs (3) and (4), and to any enactment providing for the manner of service of documents on corporate bodies, the process shall be served by the Bailiff's leaving a copy of the process and a copy of the translation or certificate, as the case may be, with the person to be served.
- (3) The Bailiff shall send to the Clerk of the Court a copy of the process and an affidavit, certificate or report proving due service of the process or stating the reason why service could not be effected, as the case may be, and if the Court directs shall specify the costs involved in effecting or attempting to effect service.

- (4) Order 65, rule 4 (substituted service) shall apply to the service of foreign process as it applies to the service of writs except that a Judge may make an order for substituted service of foreign process on the basis of the Bailiff's affidavit, certificate or report, without an application being made to him in that behalf.
- (5) The Clerk of the Court shall send a certificate, together with a copy of the process, to the consular or other authority or the Governor, as the case may be, stating -
 - (a) when and how service was effected or the reason why service could not be effected, as the case may be; and
 - (b) where appropriate, the amount certified by the Clerk of the Court to be the costs of effecting or attempting to effect service.
- (6) The certificate under paragraph (5) shall be sealed with the seal of the Court for use out of the jurisdiction.

Service of process by private process server (O.69, r.4)

4. Nothing in this Order shall prevent the service of process in connection with civil or commercial proceedings in a foreign court or tribunal otherwise than pursuant to a civil procedure convention being effected by an attorney or private process server.