

SCHEDULE 1

(Rule 4.12)

COURT FEES

PART 1 – MAGISTRATES’ COURT

Filing	VT
1.1 Claim, except as set out below	8,000
1.2 Claim, Maintenance of Family Act (Cap. 42)	3,000
1.3 Claim, Maintenance of Children Act (Cap. 46)	3,000
1.4 Claim, Domestic Violence Protection Order	3,000
1.5 Third party notice	5,000
1.6 Counterclaim	5,000
Execution	
1.7 Application for enforcement order or enforcement warrant (one fee for all applications for a judgment)	3,000
1.8 Sale under enforcement warrant	10% of sale proceeds
Determination of costs	
1.9 Application for determination of costs, first instance proceedings	5,000
1.10 If filed more than 28 days after date of final costs order	15,000
Civil Appeals	
1.11 Notice of appeal from an interlocutory or final decision	10,000
1.12 Application for determination of costs of appeal proceeding	5,000
1.13 If filed more than 28 days after date of final costs order or any longer period the judge specifies	15,000

PART 2 – SUPREME COURT

Filing	
2.1 Claim or any other document initiating a proceeding	20,000
2.2 Counterclaim	15,000
2.3 Third party notice	15,000
Trial	
2.4 Setting case down for contested trial (including preliminary hearing of issues), for each estimated day or part of a day of the trial, payable within 7 days of the proceeding being set down for trial (or adjournment, if a continued hearing)	30,000
2.5 Penalty if not paid within that 7 days	50% of fee payable by the party
2.6 Trial, for each day or part of a day the proceeding exceeds the time estimated	30,000
Execution	
2.7 Application for enforcement order or enforcement warrant (one fee for all applications for a judgment)	10,000
2.8 Sale under enforcement warrant	10% of sale proceeds

Determination of costs

2.9	Application for determination of costs, first instance proceedings	15,000
2.10	If filed more than 3 months after date of final costs order or any longer period the judge specifies	45,000

Civil Appeals

2.11	Notice of appeal from an interlocutory or final decision	25,000
2.12	Application for determination of costs of appeal proceeding	15,000
2.13	If filed more than 3 months after date of final costs order or any longer period the judge specifies	45,000

PART 3 – DOCUMENTS

3.1	Copy of a document, per page	150
3.2	Certifying a copy as a true copy, per page extra	50
3.3	Registration or authentication of a document by the Registrar of the Court.	5,000

SCHEDULE 2

(Rule 15.10)

COSTS, MAGISTRATES' COURT

ITEM	LOW SCALE VT	MEDIUM SCALE VT	HIGH SCALE VT
1. For drafting and settling claim (including counterclaim)	5,000	10,000	15,000
2. For drafting and settling defence (including any set-off)	5,000	10,000	15,000
3. For drafting and settling any other application to the court, including an application for enforcement and a judgment order	3,000	4,000	5,000
4. For preparation for trial only	3,000	3,000	3,000
5. For any court appearance including for entry of default judgment, but not for trial or adjournment	10,000	15,000	20,000
6. For court appearance for adjournment	3,000	4,000	5,000
7. First day appearance, for each half day or part of a half day	16,000	20,000	24,000
8. Each subsequent half day	2/3 of half day rate	2/3 of half day rate	2/3 of half day rate
9. Discretionary items (give details of each)	Amount determined by the magistrate		

SCHEDULE 3

FORMS

Form No.	Title	Rule No.
1	Heading, Supreme Court	2.5
2	Heading, Magistrates' Court	2.5
3	Sworn statement	2.5
4	Third party notice	3.7
5	Claim, Supreme Court	4.3
6	Claim, Magistrates' Court	4.3
7	Response	4.4
8	Defence	4.5
9	Reply	4.6
10	Application	7.2
11	List of disclosed documents	8.5
12	Request for default judgment – fixed amount	9.2
13	Request for default judgment – damages	9.3
14	Application to set aside default judgment	9.5
15	Application for summary judgment	9.6
16	Offer of settlement	9.7
17	Application for judgment – default after settlement	9.7
18	Notice of discontinuance	9.9
19	Certificate about telephone evidence	11.8
20	Summons to give evidence and produce documents	11.14
21	Enforcement order	14.2
22	Enforcement warrant, money order	14.2
23	Enforcement warrant, non-money order	14.2
24	Summons to debtor	14.3
25	Application for enforcement warrant	14.12
26	Notice about redirection of earnings	14.29
27	Summons – non-money order	14.37
28	Claim for release	16.4
29	Certificate of account	16.13
30	Claim for domestic violence protection order	16.16
31	Sworn statement – domestic violence	16.16
32	Domestic violence protection order	16.17
33	Appeal	16.28
34	Claim for judicial review	17.4
35	Notice of beginning or ceasing to act	18.8
36	General warrant	18.15

Form 1 Heading, Supreme Court (r.2.5)

**IN THE SUPREME COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO _____ OF _____

BETWEEN

Claimant's name

Claimant's lawyer's name or Claimant's address

AND

Defendant's name

Defendant's lawyer's name or Defendant's address
(list any other parties, e.g. other defendants, third parties)

(TITLE OF DOCUMENT)

Form 2 Heading, Magistrates' Court (r.2.5)

**IN THE MAGISTRATES' COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO _____ OF _____

BETWEEN

Claimant's name

Claimant's lawyer's name or Claimant's address

AND

Defendant's name

Defendant's lawyer's name or Defendant's address
(list any other parties, e.g. other defendants, third parties)

(TITLE OF DOCUMENT)

Form 3 Sworn statement (r.2.5)

**IN THE _____ COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO _____ OF _____

BETWEEN

Claimant's name

Claimant's lawyer's name or Claimant's address

AND

Defendant's name

Defendant's lawyer's name or Defendant's address

SWORN STATEMENT

I, _____ of _____,
name of person making statement address and occupation

swear the following is true:

- 1.
- 2.
- 3.

SWORN by

_____)
_____)
_____)
name of person making statement signature of person making statement

on _____
date

BEFORE ME

Signature of witness

Commissioner for Oaths OR Notary Public

Form 4 Third party notice (r.3.7)

**IN THE _____ COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO _____ OF _____

BETWEEN

Claimant's name

Claimant's lawyer's name or Claimant's address

AND

Defendant's name

Defendant's lawyer's name or Defendant's address

AND

Third party's name

Third party's lawyer's name or Third party's address

THIRD PARTY NOTICE

TO _____
Name of third party
of _____
Address of third party

1. I, _____ of _____
Defendant's name Defendant's address

claim _____
details of contribution, indemnity or other remedy claimed by defendant against third party

because _____
reasons for claim against third party

2. You are a party to these proceedings from the date this notice is served on you.

Signature of defendant's lawyer, or defendant if defendant does not have a lawyer

Date of filing: _____

Filed by: _____

name and address of defendant's lawyer

OR

Defendant's name and address, if defendant does
not have a lawyer

Form 5 Supreme Court Claim (r.4.3)

**IN THE SUPREME COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO _____ OF _____

BETWEEN

Claimant's name _____

Claimant's lawyer's name or Claimant's address

AND

Defendant's name _____

Defendant's lawyer's name or Defendant's address

SUPREME COURT CLAIM

Date of filing: _____	If for fixed amount:
Filed by: _____	The Claimant Claims:
Address for _____	Interest: _____
Service _____	Filing and Service Fees: _____
	Total claimed _____
	and costs
OR name and address of Claimant's lawyer	
Claimant's name and address, if claimant does not have a lawyer	

Set out details of claim in numbered paragraphs

- 1.
- 2.

Signed by the Claimant OR Claimant's lawyer)
at _____)
Place _____) Signature of claimant OR claimant's lawyer
on _____)
Date _____)

IMPORTANT: To (name of defendant)
**YOU MUST READ THIS CLAIM AND THE ATTACHED NOTES. YOU
MAY WISH TO CONSULT A LAWYER. YOU MUST RETURN THE
RESPONSE FORM TO THE COURT. YOU MUST TAKE ACTION
QUICKLY.**

COURT CLAIM

NOTES FOR DEFENDANTS

You have been served with a claim in legal proceedings. You are the defendant. This claim is made against you personally or as the representative of the defendant.

YOU MUST TAKE ACTION QUICKLY

1. Complete the attached RESPONSE form.
Take or send one copy to the Court.
Take or send one copy to the Claimant.

These copies must be actually with the Court and Claimant in 14 days from when you received the Claim.

2. If you have ticked box 2 or 3 on the Response form, you must file a DEFENCE form.
Set out in the Defence why you dispute part or all of the claim.
Take or send one copy to the Court.
Take or send one copy to the Claimant.

These copies must be actually with the Court and Claimant in 28 days from when you received the claim.

3. If you have ticked box 4 on the Response form, you must file a Defence (see paragraph 2) and a COUNTERCLAIM.
Set out in the Counterclaim what you are claiming against the claimant.

Take or send one copy to the Court.
Take or send one copy to the Claimant.

These copies must be actually with the Court and Claimant in 28 days from when you received the claim.

WARNING: If you do not take action as required then the claimant can sign judgment against you. This means the claimant will win the case. You can then only reopen the case on the Order of a Judge or Magistrate if you have good reason.

Form 6 Magistrates' Court Claim (r.4.3)

**IN THE MAGISTRATES' COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO _____ OF _____

BETWEEN

Claimant's name _____

Claimant's lawyer's name or Claimant's address

AND

Defendant's name _____

Defendant's lawyer's name or Defendant's address

MAGISTRATES' COURT CLAIM

Date of filing: _____
Filed by: _____
Address for Service _____

OR
name and address of Claimant's lawyer
Claimant's name and address, if claimant does
not have a lawyer

If for fixed amount:
The Claimant Claims: _____
Interest: _____
Filing and Service Fees: _____
Total claimed: _____

and costs

DATE OF FIRST HEARING: _____

YOU MUST ATTEND COURT ON THIS DATE

Set out details of claim in numbered paragraphs

1.

2.

Signed by the Claimant OR Claimant's lawyer)
at _____)
Place _____)
on _____)
Date _____)

Signature of Claimant or claimant's lawyer

IMPORTANT: To (name of defendant)
**YOU MUST READ THIS CLAIM AND THE ATTACHED NOTES. YOU MAY
WISH TO CONSULT A LAWYER. YOU MUST RETURN THE RESPONSE FORM
TO THE COURT. YOU MUST TAKE ACTION QUICKLY.**

COURT CLAIM

NOTES FOR DEFENDANTS

You have been served with a claim in legal proceedings. You are the defendant. This claim is made against you personally or as the representative of the defendant.

YOU MUST TAKE ACTION QUICKLY

1. Complete the attached RESPONSE form.
Take or send one copy to the Court.
Take or send one copy to the Claimant.

These copies must be actually with the Court and Claimant in 14 days from when you received the Claim.

2. If you have ticked box 2 or 3 on the Response form, you must file a DEFENCE form.
Set out in the Defence why you dispute part or all of the claim.
Take or send one copy to the Court.
Take or send one copy to the Claimant.

These copies must be actually with the Court and Claimant in 28 days from when you received the claim.

3. If you have ticked box 4 on the Response form, you must file a Defence (see paragraph 2) and a COUNTERCLAIM.
Set out in the Counterclaim what you are claiming against the claimant.

Take or send one copy to the Court.
Take or send one copy to the Claimant.

These copies must be actually with the Court and Claimant in 28 days from when you received the claim.

WARNING: If you do not take action as required then the claimant can sign judgment against you. This means the claimant will win the case. You can then only reopen the case on the Order of a Judge or Magistrate if you have good reason.

Form 7 Response (r.4.4)

IN THE _____ COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)

CIVIL CASE NO _____ OF _____

BETWEEN

Claimant's name _____

Claimant's lawyer's name or Claimant's address

AND

Defendant's name _____

Defendant's lawyer's name or Defendant's address

RESPONSE

The defendant's address for service of documents is:

Defendant's address for service

You must tell the court and the other parties immediately if you change this address

I have received a copy of the Claim in this case.

Please tick appropriate box or boxes

1. I agree the claim is correct.
2. I dispute part of the claim.
3. I dispute all of the claim.
4. I want to make a counterclaim.

(

(For a proceeding in the Magistrates' Court)

If the defendant objects to the place where the proceeding is to be dealt with:

4. I object to this proceeding being dealt with at _____

place

YOU MUST return this form to court, and serve a copy on the claimant, within 14 days from when you received the claim. If you have ticked box 2 or 3 you must file a defence, and serve a copy on the claimant, in 28 days from when you received the claim. If you have ticked box 4 you must file a defence and counterclaim, and serve them on the claimant, in 28 days from when you received the claim.

Signature of defendant's lawyer, or defendant if defendant does not have a lawyer

Date of filing: _____

Filed by: _____

OR name and address of defendant's lawyer
Defendant's name and address, if defendant does
not have a lawyer

Form 8 Defence (r.4.5)

**IN THE _____ COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO _____ OF _____

BETWEEN

Claimant's name _____

Claimant's lawyer's name or Claimant's address

AND

Defendant's name _____

Defendant's lawyer's name or Defendant's address

DEFENCE

Set out details of defence in numbered paragraphs

- 1.
- 2.
- 3.

Signed by the Defendant OR defendant's lawyer

at _____)

Place

on _____)

Date

_____) Defendant's signature OR defendant's lawyer's signature

)

Date of filing: _____

Filed by: _____

If the defendant has not filed a response:

The defendant's address for service is:

OR name and address of defendant's lawyer
Defendant's name and address, if defendant does
not have a lawyer

Form 9 Reply (r.4.6)

IN THE _____ COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)

CIVIL CASE NO _____ OF _____

BETWEEN

Claimant's name _____

Claimant's lawyer's name or Claimant's address

AND

Defendant's name _____

Defendant's lawyer's name or Defendant's address

REPLY

Set out details of reply in numbered paragraphs

- 1.
- 2.
- 3.

Signature of claimant's lawyer, or claimant if claimant does not have a lawyer

Date of filing: _____

Filed by: _____

OR name and address of claimant's lawyer
claimant's name and address, if claimant does
not have a lawyer

Form 10 Application (r.7.2)

IN THE _____ COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)

CIVIL CASE NO _____ OF _____

BETWEEN

Claimant's name _____

Claimant's lawyer's name or Claimant's address

AND

Defendant's name _____

Defendant's lawyer's name or Defendant's address

APPLICATION

_____ of _____
Applicant's name applicant's address

applies for:

Set out details of application in numbered paragraphs

- 1.
- 2.

on the grounds that:

set out reasons for making application in numbered paragraphs

- 1.
- 2.

Signature of applicant's lawyer, or applicant if applicant does not have a lawyer

Date of filing: _____

Filed by: _____

OR name and address of applicant's lawyer
applicant's name and address, if applicant does
not have a lawyer

Form 11 List of documents (r.8.5)

IN THE _____ COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)

CIVIL CASE NO _____ OF _____

BETWEEN

Claimant's name _____

Claimant's lawyer's name or Claimant's address

AND

Defendant's name _____

Defendant's lawyer's name or Defendant's address

(CLAIMANT'S/DEFENDANT'S) LIST OF DOCUMENTS

I, _____ the Claimant / Defendant
Name of person making statement

swear the following is true:

1. I understand my obligation to disclose documents.
2. To the best of my knowledge I have disclosed all documents that I must disclose.
3. The documents relating to this proceeding that are or have been in my control are listed in Schedules 1 and 2.
4. I have in my possession the documents listed in Parts 1 and 2 of Schedule 1.
5. I have had in my possession the documents listed in Schedule 2 but no longer have them in my possession.
6. I claim the documents listed in Part 2 of Schedule 1 are privileged because

set out reasons

7. I do not have and have not had control of any other documents relating to this proceeding.

SCHEDULE 1

Part 1

List documents

SCHEDULE 1

Part 2

List documents

SCHEDULE 2

List documents

SWORN by

Name of person making statement

)
)
)
)

Signature of person making statement

on _____
date

BEFORE ME

Signature of witness

A Solicitor of the Supreme Court of Vanuatu OR
Commissioner for oaths OR Notary Public

Date of filing: _____

Filed by: _____

OR Name and address of claimant's/defendant's lawyer
Claimant's/defendant's name and address, if claimant/defendant does
not have a lawyer

Form 12 Request for default judgment, fixed amount (r.9.2)

**IN THE _____ COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO _____ OF _____

BETWEEN

Claimant's name _____

Claimant's lawyer's name or Claimant's address

AND

Defendant's name _____

Defendant's lawyer's name or Defendant's address

REQUEST FOR DEFAULT JUDGMENT (FIXED AMOUNT)

_____ of _____
Claimant's name claimant's address

Requests the court to give default judgment against the defendant on the ground that the defendant has not filed a
_____ after being
_____ response within 14 days OR defence within 28 days
served with the claim in this proceeding.

The Claimant Claims:
Interest:
Filing and Service Fees:
Costs: _____
Total Claimed: _____

Signature of claimant's lawyer, OR signature of claimant if claimant does not have a lawyer

Date of filing: _____

Filed by: _____

OR name and address of claimant's lawyer
claimant's name and address, if claimant does
not have a lawyer

Form 13 Request for default judgment, damages (r.9.3)

**IN THE _____ COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO ____ OF ____

BETWEEN

Claimant's name _____

Claimant's lawyer's name or Claimant's address

AND

Defendant's name _____

Defendant's lawyer's name or Defendant's address

REQUEST FOR DEFAULT JUDGMENT (DAMAGES)

_____ of _____
Claimant's name claimant's address

1. requests the court to give default judgment against the defendant on the ground that the defendant has not filed a _____ after response within 14 days OR defence within 28 days being served with the claim in this proceeding; and
2. asks the court to determine the amount of damages.

Signature of claimant's lawyer, OR signature of claimant if claimant does not have a lawyer

Date of filing: _____

Filed by: _____

OR name and address of claimant's lawyer
claimant's name and address, if claimant does
not have a lawyer

Form 14 Application to set aside default judgment (r.9.5)

**IN THE _____ COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO ____ OF ____

BETWEEN

Claimant's name _____

Claimant's lawyer's name or Claimant's address

AND

Defendant's name _____

Defendant's lawyer's name or Defendant's address

APPLICATION TO SET ASIDE DEFAULT JUDGMENT

1. _____ of _____
Applicant's name applicant's address

applies for the default judgment signed against the applicant on _____ to be
date of judgment
set aside.

2. The applicant did not respond to the claim or defend the claim because:
Set out reasons

3. The applicant's defence to the claim is:
Set out details of defence

Signature of applicant's lawyer, or applicant if applicant does not have a lawyer

Date of filing: _____

Filed by: _____ The applicant's address for service is:

OR
name and address of defendant's lawyer
Defendant's name and address, if defendant does
not have a lawyer

Form 15 Application for summary judgment (r.9.6)

**IN THE _____ COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO ____ OF ____

BETWEEN

Claimant's name

Claimant's lawyer's name or Claimant's address

AND

Defendant's name

Defendant's lawyer's name or Defendant's address

APPLICATION FOR SUMMARY JUDGMENT

DATE OF FIRST HEARING: _____

YOU MUST ATTEND COURT ON THIS DATE

_____ of _____
Applicant's name applicant's address

applies for summary judgment against the defendant.

The applicant believes the defendant has no real prospect of defending the applicant's claim because:
Set out reasons in numbered paragraphs

- 1.
- 2.
- 3.

Signature of applicant's lawyer, or applicant if applicant does not have a lawyer

Date of filing: _____

Filed by: _____

OR
name and address of applicant's lawyer
applicant's name and address, if applicant does
not have a lawyer

Form 16 Offer to settle claim (r.9.7)

**IN THE SUPREME COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO ____ OF ____

BETWEEN

Claimant's name _____

_____ Claimant's lawyer's name or claimant's address

AND

Defendant's name _____

_____ Defendant's lawyer's name or defendant's address

OFFER TO SETTLE CLAIM

The _____ offers to settle this claim:
Claimant or Defendant

If for money settlement:

1. by _____ VT _____ .
accepting OR paying insert amount

This amount includes VT _____ for interest and _____ VT _____
insert amount includes OR does not include insert amount
for costs.

2. VT _____ is to be paid by _____
insert amount insert date OR if by instalments, state how amount is to be paid

3. The _____ has _____ days from the date below to accept this offer.
Claimant or defendant number of days

AND / OR

if for settlement other than money:

4. by _____
set out details of offer

5. _____ is to be done by _____
set out what is to be done date

6. The _____ has _____ from the date below to accept this offer.
Claimant or Defendant number of days

Signed by the _____ lawyer at _____
Claimant's or Defendant's Place

on _____
Date

Signature of Claimant's / Defendant's lawyer

4. To accept this offer, sign below, file this with the court and notify the other party.

Signed by the _____ lawyer at _____
Claimant's or Defendant's Place

on _____
Date

Signature of Claimant's Defendant's lawyer

Filed on _____
date of filing

(Seal of court)

Form 17 Application for judgment, settlement (r.9.7)

**IN THE SUPREME COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO _____ OF _____

BETWEEN

Claimant's name _____

Claimant's lawyer's name or Claimant's address

AND

Defendant's name _____

Defendant's lawyer's name or Defendant's address

APPLICATION FOR JUDGMENT (SETTLEMENT)

DATE OF FIRST HEARING: _____

YOU MUST ATTEND COURT ON THIS DATE

_____ of _____
Claimant's OR Defendant's name claimant's OR defendant's address

applies for judgment against the _____ on the ground that:

defendant OR claimant

1. the claimant and defendant agreed to settle this proceeding as set out in the attached settlement form filed on _____.

date of filing settlement form

2. the _____ has not paid as agreed in the settlement form.

defendant OR claimant

OR

the _____ has not complied with the terms of the settlement form.

defendant OR claimant

Signature of claimant's / defendant's lawyer, OR signature of claimant / defendant if claimant / defendant does not have a lawyer

Date of filing: _____

Filed by: _____

OR name and address of claimant's / defendant's lawyer
claimant's / defendant's name and address, if claimant / defendant does not have a lawyer

Form 18 Notice of discontinuance (r.9.9)

**IN THE _____ COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO _____ OF _____

BETWEEN

Claimant's name _____

Claimant's lawyer's name or Claimant's address

AND

Defendant's name _____

Defendant's lawyer's name or Defendant's address

NOTICE OF DISCONTINUANCE

TO _____
Name of defendant

The claimant has discontinued this proceeding against you.

Signature of claimant's lawyer, or claimant if claimant does not have a lawyer

Date of filing: _____

Filed by: _____

name and address of claimant's lawyer or
claimant's name and address, if claimant does
not have a lawyer

Form 19 Certificate of telephone evidence (r.11.8)

**IN THE _____ COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO _____ OF _____

BETWEEN

Claimant's name _____

Claimant's lawyer's name or Claimant's address

AND

Defendant's name _____

Defendant's lawyer's name or Defendant's address

CERTIFICATE OF TELEPHONE EVIDENCE

I _____ of _____
name of magistrate, police officer or chief address

certify that:

1. I was present when _____ gave evidence by telephone at
name of witness

_____ on _____ at _____.
place evidence given date evidence given time

2. _____ is personally known to me.
name of witness

3. _____ seemed to give the evidence freely.
name of witness

Signed by _____
name of magistrate, police officer or chief

at _____)
Place) Signature
on _____)
Date)

Before me

Witness' signature

Name and address of witness

Date of filing: _____

Filed by: _____

name and address of claimant's/defendant's lawyer
or claimant's name and address, if claimant does
not have a lawyer

Form 20 Summons to give evidence and produce documents (r.11.14)

IN THE _____ COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)

CIVIL CASE NO _____ OF _____

BETWEEN

Claimant's name _____

Claimant's lawyer's name or Claimant's address

AND

Defendant's name _____

Defendant's lawyer's name or Defendant's address

**SUMMONS TO ATTEND COURT, GIVE EVIDENCE AND
PRODUCE DOCUMENTS**

TO: _____ of _____
Name of person summoned address

You must attend the _____ Court at _____
Supreme OR Magistrates' place
on _____ at _____
date time

1. to give evidence in this proceeding at the request of _____
name of party issuing summons

AND / OR

2. you must bring the following documents and / or objects with you:

list documents and objects

Seal of court

Signature of judge / magistrate

date

WARNING: If you do not come to court, you may be arrested, brought to court and fined or put in prison.

Form 21 Enforcement order (r.14.2)

**IN THE _____ COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO _____ OF _____

BETWEEN

Claimant's name _____

Claimant's lawyer's name or Claimant's address

AND

Defendant's name _____

Defendant's lawyer's name or Defendant's address

ENFORCEMENT ORDER

THE COURT ORDERS THAT:

_____ must:
Name of enforcement debtor

Set out details of order in numbered paragraphs

- 1.
- 2.

Seal of court

Signature of judge / magistrate

date

Form 22 Enforcement warrant (money order) (r.14.2)

**IN THE _____ COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO _____ OF _____

BETWEEN

Claimant's name _____

Claimant's lawyer's name or Claimant's address

AND

Defendant's name _____

Defendant's lawyer's name or Defendant's address

ENFORCEMENT WARRANT (MONEY ORDER)

TO: _____,
Name of enforcement officer title of enforcement officer

Name of enforcement debtor:

Enforcement debtor's address:

Amount recoverable under this warrant:

Debt:	VT
Interest:	VT
Enforcement costs:	VT _____
Total:	VT _____

YOU are authorised to:

Set out details of actions authorised under warrant in numbered paragraphs

1.

2.

This warrant ends on _____
Date warrant ends

Seal of court

Signature of judge / magistrate

date

Form 23 Enforcement warrant (non-money order) (r.14.2)

**IN THE _____ COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO _____ OF _____

BETWEEN

Claimant's name _____

Claimant's lawyer's name or Claimant's address

AND

Defendant's name _____

Defendant's lawyer's name or Defendant's address

ENFORCEMENT WARRANT (NON-MONEY ORDER)

TO: _____ , _____
Name of enforcement officer title of enforcement officer

Name of person against whom order made:

Address of person against whom order made:

YOU are authorised to:

Set out details of actions authorised under warrant in numbered paragraphs

1.

2.

This warrant ends on _____
Date warrant ends

Seal of court

Signature of judge / magistrate

date

Form 24 Summons under enforcement order (money order) (r.14.3)

**IN THE _____ COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO _____ OF _____

BETWEEN

Claimant's name _____

Claimant's lawyer's name or Claimant's address

AND

Defendant's name _____

Defendant's lawyer's name or Defendant's address

**SUMMONS TO ATTEND ENFORCEMENT CONFERENCE
AND PRODUCE DOCUMENTS (MONEY ORDER)**

TO: _____ of _____
Name of enforcement debtor address

The _____ Court made an enforcement order against you on _____.
Supreme OR Magistrates' date order made

You must attend the enforcement conference at the _____ Court at _____
Supreme OR Magistrates' place
on _____ at _____
date time

to say how you will comply with the Enforcement Order.

2. You must bring with you sufficient documents to enable you to give a fair and accurate picture of your financial circumstances.

Seal of court

Signature of judge / magistrate

date

WARNING: If you do not come to court, you may be arrested, brought to court and fined or put in prison.

Form 25 Application for enforcement warrant (r.14.12)

**IN THE _____ COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO _____ OF _____

BETWEEN

Claimant's name _____

Claimant's lawyer's name or Claimant's address

AND

Defendant's name _____

Defendant's lawyer's name or Defendant's address

APPLICATION FOR ENFORCEMENT WARRANT

_____ of _____
Applicant's name applicant's address

applies for an enforcement warrant against:

_____ name of enforcement debtor OR person against enforcement order made
on the grounds that:

1. An enforcement order was issued by the _____ court on _____
Supreme OR Magistrates' date

requiring _____ to do the following:
name of enforcement debtor OR person against whom enforcement order made

set out details of enforcement order

2. The enforcement debtor has not complied with the order

Signature of applicant's lawyer OR
applicant if applicant does not have a lawyer

Date of filing: _____

Filed by: _____

name and address of defendant's lawyer OR
Defendant's name and address, if defendant does not have a lawyer

Form 26 Notice about redirection of earnings (r.14.29)

**IN THE _____ COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO _____ OF _____

BETWEEN

Claimant's name _____

Claimant's lawyer's name or Claimant's address

AND

Defendant's name _____

Defendant's lawyer's name or Defendant's address

NOTICE ABOUT REDIRECTION OF EARNINGS

TO:

_____ of _____
Name of employer address of employer's place of business

1. The _____ Court has issued an enforcement warrant for the redirection of the
Supreme OR Magistrates'

earnings of _____ who is employed by you.
name of enforcement debtor

2. The warrant has been served on you.

3. Under the warrant, you must:

(a) deduct the amount stated in the warrant from the earnings of _____
name of enforcement debtor

(unless the amount remaining to be paid is less); and

(b) pay that amount to _____ whose name is in the warrant.
name of enforcement creditor

However, if the deduction amount would leave _____ with less
name of enforcement debtor

than _____ in take-home pay, you must deduct only what will leave
amount of take-home pay fixed by court

him / her with _____ in take-home pay.
amount of take-home pay fixed by court

4. If you are not the employer of _____, or stop being
name of enforcement debtor
his / her employer, you must notify the _____ Court as soon as practicable.
Supreme OR Magistrates'

Signature of enforcement creditor's lawyer OR
enforcement creditor, if enforcement creditor does not have a lawyer

name and address of enforcement creditor's lawyer OR
enforcement creditor's name and address, if he / she does
not have a lawyer

Form 27 Summons under enforcement order (non-money)(r. 14.37)

**IN THE _____ COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO _____ OF _____

BETWEEN

Claimant's name _____

Claimant's lawyer's name or Claimant's address

AND

Defendant's name _____

Defendant's lawyer's name or Defendant's address

**SUMMONS TO ATTEND ENFORCEMENT CONFERENCE
AND PRODUCE DOCUMENTS (NON-MONEY ORDER)**

TO: _____ of _____
Name of person against whom order made address

The _____ Court made an enforcement order against you on _____.
Supreme OR Magistrates' date order made

You must attend the enforcement conference at the _____ Court at _____
Supreme OR Magistrates' place
on _____ at _____:
date time

to say how you will comply with the Enforcement Order made against you

You must bring with you sufficient documents to enable you to tell the court how you propose to comply with the enforcement order.

Seal of court

Signature of judge / magistrate

date

WARNING: If you do not come to court, you may be arrested, brought to court and fined or put in prison.

Form 28 Claim for Release (r.16.4)

**IN THE SUPREME COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO _____ OF _____

BETWEEN

Claimant's name _____

Claimant's lawyer's name or Claimant's address

AND

Defendant's name _____

Defendant's lawyer's name or Defendant's address

CLAIM FOR RELEASE

Date of filing: _____

Filed by: _____

Address for _____

Service _____

OR name and address of Claimant's lawyer
Claimant's name and address, if claimant does
not have a lawyer

The claimant claims the release of _____ on the grounds:
Name of person being held unlawfully

Set out details of claim in numbered paragraphs

1.

2.

Signed by or on behalf of the Claimant)

at _____)

Place)

Signature of claimant OR person on
behalf of the claimant

on _____)

Date)

Form 29 Certificate of account (r.16.13)

**IN THE _____ COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO _____ OF _____

BETWEEN

Claimant's name _____

Claimant's lawyer's name or Claimant's address

AND

Defendant's name _____

Defendant's lawyer's name or Defendant's address

CERTIFICATE OF ACCOUNT

I _____ of _____
name of accounting party address

certify that:

1. The account of _____
state transactions

has been taken in accordance with the order of the Supreme Court dated _____
date of order

2. A copy of the account is attached.

Signed by _____
name of person taking the account

at _____)
Place) Signature
on _____)
Date)

Before me

Witness' signature


Name and address of witness

Form 30 Claim for Domestic Violence Protection Order (r. 16.16)

**IN THE _____ COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO ____ OF ____

BETWEEN:

<p> Write your full name</p> <p>..... Write your address</p>

Claimant

AND:


<p> Write full name of defendant</p> <p>..... Write address of defendant</p>


Defendant

CLAIM FOR DOMESTIC VIOLENCE PROTECTION ORDER

- a) Non violence
- b) Exclusive occupation
- c) Non Molestation

I,

.....
( Write the full name of the applicant here)

of.....
( Write the applicant's address)

APPLY for the following orders (delete as appropriate)

- (a) Non Violence
- (b) Exclusive Occupation of the home situated at
(Give full address)
- (c) Non Molestation Order
- (d) Costs

FOR:

- a) Myself
- b) A Child/Children of the Family

Give name(s):

.....

MY GROUNDS are set out in the sworn statement attached.

DATED

Signed:

I,of.....

AGREE to obey any order this Court may make against me for costs or damages if the Court finds that I should not have made this application.


.....
Signed by the claimant

Form 31 Sworn Statement (Domestic Violence) (r.16.16)

**IN THE _____ COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**


CIVIL CASE NO ____ OF ____

BETWEEN:

 Write your full name and address here
--

Claimant

AND:


 Write the defendant's name and address here
--

Defendant

SWORN STATEMENT OF

.....
name of person making statement


I  (Write your full name)

of: 
(Write your full address)

swear the following is true: -

- I am the Claimant.
- I am applying on behalf of myself and/or the following child/children of the Family:
(Cross out the words that do not apply)

(Write the names of the child or children on the lines below)




.....

- The Defendant and I are members of the same family. The defendant is:
(State the relationship between yourself and the defendant on the line below)



- The home where I/ and the children (Cross out if you are only applying for yourself)
live is at:

- The defendant lives: (If the defendant lives with you write WITH US 

Form 32 Order (Domestic Violence) (r. 16.17)

**IN THE _____ COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO _____ OF _____

BETWEEN:

Claimant's full name and address

Claimant

AND:

Defendant's full name and address

Defendant

ORDER (DOMESTIC VIOLENCE)

- a) Non violence
- b) Exclusive occupation
- c) Non molestation

ON..... **THE COURT** heard an application from
date of hearing
.....(Claimant)
name of claimant

and **READING** the Documents placed before the court, the **COURT MAKES THE
FOLLOWING ORDER(S)** against the Defendant: -

Set out details of orders

THE COURT ORDERS that(insert name) must serve this order on the Defendant(insert name) and(insert name) must serve a copy on the Police. If the Defendant(Insert name) does not obey all of these orders then the police must arrest him/her and bring him/her to court as quickly as possible.

WARNING TO THE DEFENDANT

If you do not obey these orders then you can be arrested. You will then be brought before the court and may be fined and/or sent to prison.

(If the order was made without the defendant being present)

The next hearing of this matter is on:.....
date of hearing

YOU MUST ATTEND

If you disagree with this order you should go to the court and ask for an earlier hearing date.

DATED

Signed:
Magistrate/Supreme Court Judge.

Form 33- Appeal (r 16.28)

**IN THE _____ COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL APPEAL CASE NO. ____ OF ____

BETWEEN

Appellant's name

Appellant's lawyer's name or
Appellant's address

AND

Defendant's name

Defendant's lawyer's name or Defendant's
address

APPEAL

Appellant's name of _____
Appellant's address

Appeal for:
Set out details of appeal in numbered paragraphs.

- 1.
- 2.

On the grounds that:
Set out reasons for making appeal in numbered paragraphs.

- 1.
- 2.

Date of filing: _____

Filed by: _____

name and address of appellant's lawyer or
appellant's name and address, if appellant does not have a lawyer

Form 34 - Claim for judicial review (r.17.4)

**IN THE SUPREME COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO _____ OF _____

BETWEEN

Claimant's name

Claimant's lawyer's name or Claimant's address

AND

Defendant's name

Defendant's lawyer's name or Defendant's address

CLAIM FOR JUDICIAL REVIEW

Date of filing: _____

Filed by: _____

Address for Service _____

name and address of Claimant's lawyer OR Claimant's name and address,
if claimant does not have a lawyer

The Claimant claims

a declaration that _____ is of no effect
name of enactment

OR

a mandatory order requiring _____ to
name of person

set out desired action

OR

an order prohibiting _____ from
name of person

set out action to be prohibited

OR

a quashing order that _____ by
describe decision

_____ is quashed.
name of person who made decision

Set out grounds supporting claim in numbered paragraphs:

- 1.
- 2.
- 3.
- 4.

Signed by the Claimant OR Claimant's lawyer)

at _____)
Place)
on _____)
Date)

Signature of claimant OR claimant's lawyer

Form 35 Notice of beginning or ceasing to act (r.18.8)

**IN THE _____ COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO _____ OF _____

BETWEEN

Claimant's name

Claimant's lawyer's name or Claimant's address

AND

Defendant's name

Defendant's lawyer's name or Defendant's address

NOTICE OF BEGINNING / CEASING TO ACT

I, _____
Lawyer's name

of _____

_____ name
and address of firm

have _____ to act for the _____ in this proceeding.
begun OR ceased Claimant OR Defendant

Signature of lawyer

Date of filing: _____

Filed by: _____

name and address of lawyer

Form 36 General warrant (r.18.15)

**IN THE _____ COURT OF
THE REPUBLIC OF VANUATU
(CIVIL JURISDICTION)**

CIVIL CASE NO _____ OF _____

BETWEEN

Claimant's name

Claimant's lawyer's name or Claimant's address

AND

Defendant's name

Defendant's lawyer's name or Defendant's address

GENERAL WARRANT

TO: _____
Name of enforcement officer title of enforcement officer

Name of person against whom warrant issued:

Address of person against whom order made:

YOU are authorised to:

Set out details of actions authorised under warrant in numbered paragraphs

1.

2.

This warrant ends on _____
Date warrant ends

Seal of court

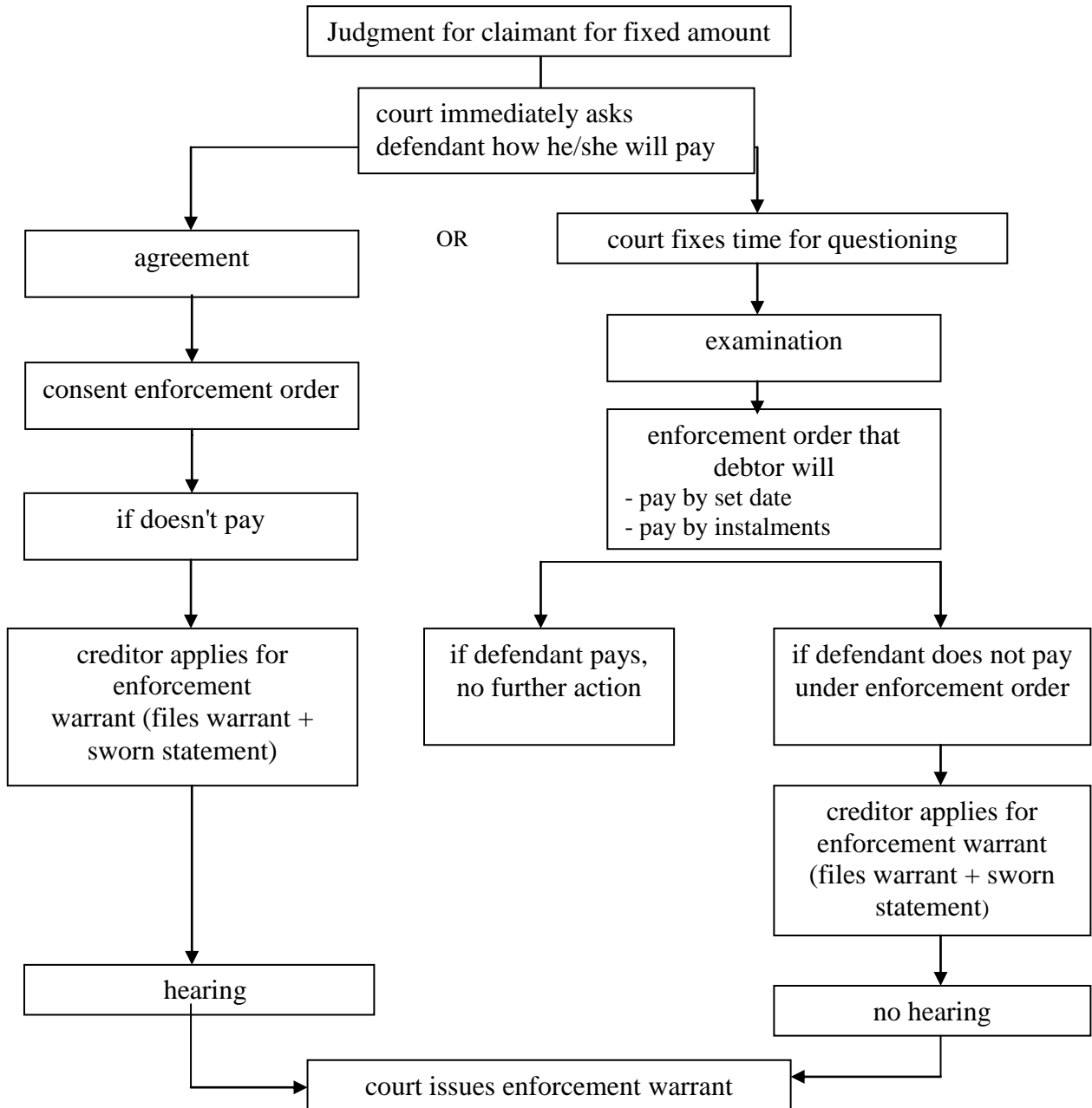
Signature of judge / magistrate

date

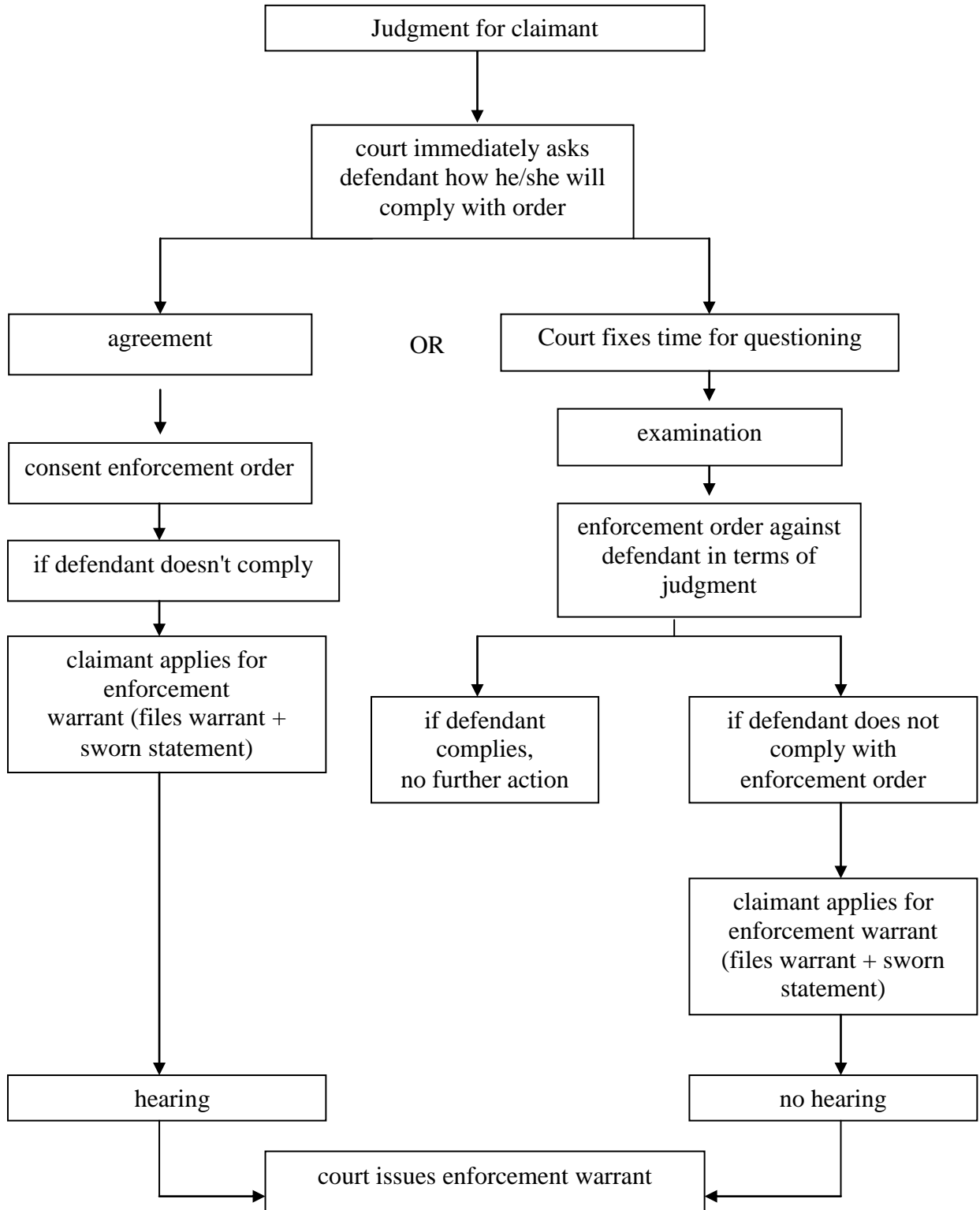
SCHEDULE 4

FLOW CHARTS

**ENFORCEMENT OF MONEY ORDER
(SUPREME COURT AND MAGISTRATES' COURT)**

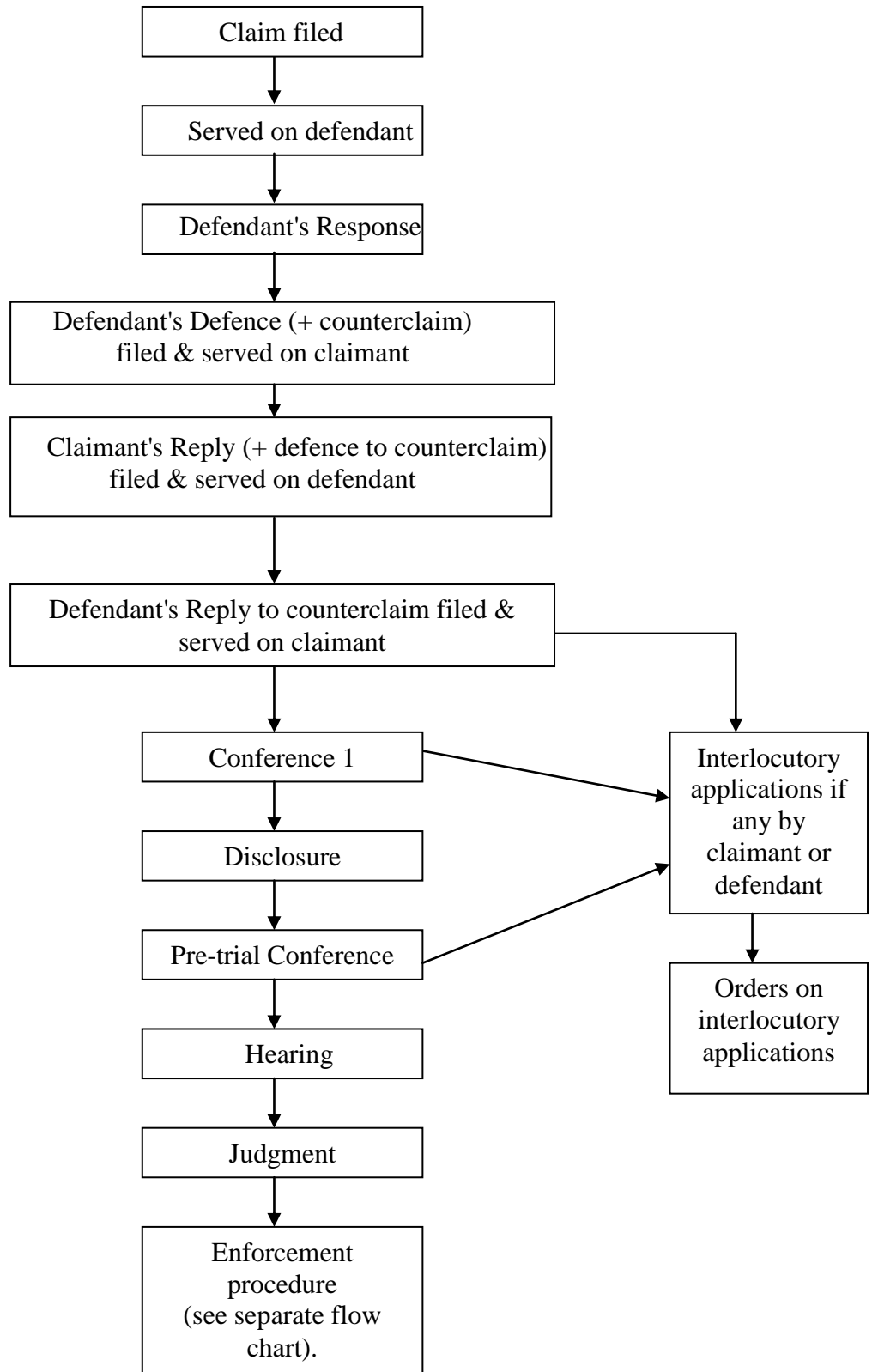


**ENFORCEMENT OF NON-MONEY ORDER
(SUPREME COURT AND MAGISTRATES' COURT)**



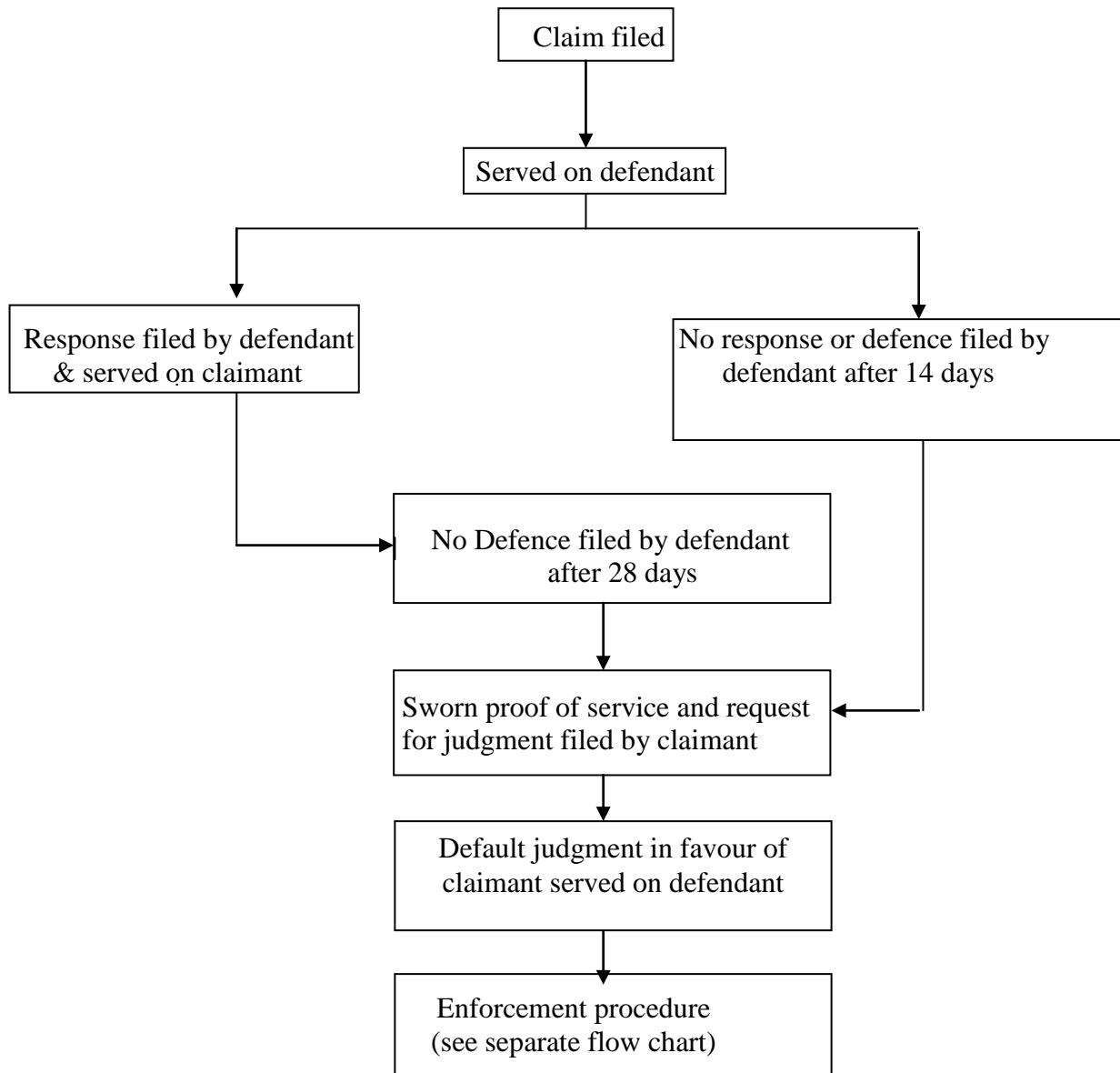
SUPREME COURT

DEFENDED PROCEEDING



SUPREME COURT

UNDEFENDED PROCEEDING



MAGISTRATES' COURT PROCEEDINGS

