

SUPREME COURT OF THE REPUBLIC OF VANUATU

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PRACTICE DIRECTION

Admiralty and Maritime Claims and Actions

This Practice Direction applies to any claim or action in the admiralty and maritime jurisdiction of the Supreme Court of the Republic of Vanuatu.

Under section 11 of the Maritime Act (Cap 131) the non-statutory general maritime law of the United States of America is adopted as the general maritime law in respect of all vessels registered under that Act.

The Civil Procedure Rules do not deal with proceedings in the Supreme Court's admiralty and maritime jurisdiction. Rule 1.7 does not permit the old high Court (Civil Procedure) Rules 1964 being applied but requires that the court give directions as are necessary to ensure the matters are determined according to substantial justice.

The practice and procedures to be followed and the forms to be used for any such proceeding is as set out in the Rules of Civil Procedure for the District Courts of the United States of America, particularly the supplemental rules for admiralty or maritime claims and asset forfeiture actions, with only those variations that the nature of the case requires. These rules are available on the Pacific Islands Legal Information Institute [PacLII] at <http://www.pacii.org/>.

Guidance more generally on the non-statutory general maritime law of the United States of America can be found in legal texts and services published in the United States on admiralty and maritime law, including Admiralty and Maritime Law by Robert Force which was written and published by the United States' Federal Judicial Center for use by judges and other judicial branch employees and can be downloaded at <https://public.resource.org/scribd/8763552.pdf>.

Dated at Port Vila this 16th day of December 2013,


Vincent LUNABEK
Chief Justice

