

Every child must be supported both financially and educationally by his/her parents. If you do not support your child you can be fined up to 1500vt or sent to prison for up to 3 months.



Port Vila : PMB 9041,
26715 / 22420

Isangel, Tanna : 33903
Lakatoro, Malekula : 48423
Luganville, Santo : 36457

OPENING HOURS
7:30 am— 11:30 am
1:30 pm— 4:30 pm

This brochure is authorised by the Chief Justice of the Republic of Vanuatu and produced by the Supreme Court.

Note: The information contained in this brochure is intended as a guide for all court users, in particular, the unrepresented litigants.

This brochure is current as at 30 June 2020.

Court Website : <http://courts.gov.vu> or
<http://judiciary.gov.vu>



ISLAND COURT

CLAIM FOR CHILD MAINTENANCE

What is child maintenance?

It is parents supporting their children financially and educationally.

Who is eligible to apply to the court?

The woman/ mother of the child is eligible to apply. She can be unmarried or married.

When can I apply?

An application can be made at any time within 12 months from the child's birth or the court may accept the application after 12 months if there is a good reason.

Do I have to pay a fee to file a maintenance application?

Yes. The court fee is 1,000vt.
To enforce the court's order is also 1,000vt.

What must be proofed in the court?

- That during the time of pregnancy there was an offer of marriage and they had been living together as husband and wife
- That the alleged father of the child had at some time provided for the child in a paternal capacity.

**What happens after the application is filed?**

A court notice will be served on you and the father giving the date and time to come to court for the hearing of the application.

What happens at the hearing?

- Your application will be heard before the justices with the defendant present.
- The mother will give her side of the story, present her evidence and call her witnesses if she has any.
 - The father will give his side of the story, present his evidence and call his witnesses if he has any.
 - Both you and the father can ask each other and the witnesses' questions.
 - After hearing all the evidence the Justices will give a decision.
 - The party who has won may ask for repayment of their expenses.

What is the power of the court?

If the court finds enough evidence that the defendant is the father of the child, the court may make orders in favour of the mother for the father to maintain the child financially or in kind until the child reaches 18 years of age.

What can I do if I am not satisfied with the court decision?

If you are not satisfied with the judgment you may appeal to the Magistrate Court within 28 days from the date of the decision.

What happens if the father does not comply with the court decision?

The mother may apply to the same Island court and request enforcement of the court's decision. The application can be in writing or made orally during the court hearing.

At that time the court may fine the father 1500 vatu, if it is the second time he is disobeying the order he can be sent to prison for 3 months.