

All Parties in a case must help the courts to deal with cases fairly.



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

CIVIL PROCEEDINGS GUIDE

What is the power of the Island Court?

The Island Court has the power to hear:

- Cases value at 50,000 Vatu or less,
- Child Maintenance
- Family Maintenance
- Customary Issues and Applications
- Debt Cases

How do I bring my case to the court?

You will file a claim in the Island Court in the location where you live or where the event happened the claim is a document that says what your problem is what the other person has done to you and what you want from the court.

What do you do when you receive a claim?

If you do not agree with the claim you must file in the office of the Island Court where the claim was filed a statement of defence at least 7 days before the hearing date.

What if the claimant has done something to me?

You can file a counterclaim together with your defence saying what the claimant has done to you and what you are asking the claimant for.



How much does it cost to file a claim and a counterclaim?

It costs VT1, 000 to file a claim and VT1, 000 to file a counter claim.

What happens if the parties do not appear in court?

The court may issue a summons for the attendance of the parties or strike out their case and/ or enter a default judgement for the party present in court.

What can I do if I think the defendant doesn't have a strong case?

If you think that the defence is not strong, you can make an application to the court to ask the court to strike out the defence and give you judgement

What happens after the claim is filed?

The defendant and claimant will come to court on the day stated in the claim for the first hearing and the Court will say what's going to happen next.

What happens at the Hearing of the case?

- The Clerk will read the claim to the claimant and the Justices of the Island Court.
- The Claimant may continue with his side of the story, present his evidence and call his witness
- The defendant will give his side of the story, present his evidence and call his witnesses if he has any.
- Both you and the defendant can ask each other and the witnesses' questions.
- After hearing all the evidence the Court will give a judgment.
- The party who has won may ask for repayment of their expenses.

What can I do if I am not happy with the judgment?

If you are not happy with the judgment you may appeal to the Magistrate's Court within 30 days from the date of the judgement.

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

The complainant may apply to the same Island court and request court enforcement on the decision made. The application can be in writing or made orally during the court hearing.