

Parties to a proceeding must help the courts
to deal with cases justly.



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>



MAGISTRATES COURT

CIVIL PROCEEDINGS GUIDE

1) What is the power of the Magistrates Court?

The Magistrates Court has the power to hear:

- Cases for 1,000,000 Vatu or less,
- Cases between landlord and tenant if the claim is not above 2,000,000 Vatu,
- Divorces,
- Domestic Violence Protection Orders, and
- Restraining Orders

2) How do I bring my problem to the court?

You will file a claim in the court which is a document saying what your problem is, what the other person has done to you and what you want from the court.

3) What do you do when you receive a claim?

You will have 28 days from the date you receive the claim to file a document called a defence in which you will answer every point in the claim and give your side of the story.

4) 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.



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

It costs VT8,000 to file a claim and VT5,000 to file a counterclaim

6) What happens if the defendant does not file a defence?

If the defendant does not file a defence within 28 days of receiving the claim you may ask the Magistrate for a judgment without a hearing. A copy of that judgment must be served on the defendant.

7) 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 for judgment without a hearing.

8) 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 Magistrate will say what's going to happen next.

9) What happens at the Hearing of the case?

- The claimant will give his side of the story, present his evidence and call his witnesses if he has any.
- 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 Magistrate will give a judgment.
- The party who has won may ask for repayment of their expenses.

10) 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 Supreme Court within 14 days from the date of the judgement.