

11) What happens at the end of the trial?

- After hearing all the evidence the Judge will give a judgment.
- The party who has won may ask for repayment of their expenses.

12) Must all parties be present for the delivery of judgment?

- The judgment may be handed out without the presence of the parties.

13) 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 Court of Appeal within 14 days from the date of the judgement.



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>



SUPREME COURT

CIVIL PROCEEDINGS GUIDE

1) What is the power of the Supreme Court?

The Supreme Court has the power to hear:

- Cases over 1,000,000 Vatu,
- Cases between landlord and tenant if the claim is above 2,000,000 Vatu,
- Custody and maintenance for children,
- Enforcement of judgments,
- Probates,
- Adoptions,
- Constitutional claims

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 VT20,000 to file a claim and VT15,000 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 be given a date to come to court for a first conference and the Judge will give directions on what each party is to do before the trial. The Judge will give a date for the pre-trial conference.
- At the pre-trial conference the judgement will make sure all the directions have been followed and he will give a date for the trial of the case.

9) What documents must I file with the court before trial?

Before the trial you will have to:

- Disclose all the documents you intend to rely on as evidence.
- You must put in your sworn statement and those of your witnesses giving your side of the story.

10) What happens at the trial 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.