

**FIJI**  
**HIGH COURT ACT**  
**(CHAPTER 13)**

**HIGH COURT (AMENDMENT) RULES 1997**

IN exercise of the powers conferred upon me by Section 25 of the High Court Act, I hereby make the following rules.

1.-(1) These rules may be cited as the High Court (Amendment) Rules 1997 and shall come into force on the 1st day of August 1997.

(2) In these rules unless the context otherwise requires "the principal rules" means the High Court Rules 1988.

2. Rule 1 of Order 4 of the principal rules is replaced by the following rule:

*Venue (O.4 r.1)*

1-(1) Proceedings must ordinarily be commenced in the High Court registry located in the Division in which the cause of action arises.

(2) Applications for Probate or Letters of Administration and Resealing made under the provisions of the Succession, Probate and Administration Act shall be filed in the principal probate registry in Suva.

(3) Proceedings the subject matter of which is within the jurisdiction of a Magistrate's Court must ordinarily be commenced in that Court.

(4) Any action commenced in the High Court may be transferred by the Court from one High Court registry to another or to a Magistrate's Court."

3. Rule 9 of Order 32 of the principal rules is replaced by the following rule:

*Jurisdiction of the Registrar (O.32 r. 9)*

9. The Registrar shall, subject to the directions of the Chief Justice given generally or in respect of any particular case, have the powers, authority and jurisdiction of a judge in chambers with respect to the following matters:

(a) the place, time for setting down for trial, and mode of trial and other matters usually arising on a summons for directions;

(b) the discovery of documents, and production of documents for inspection and discovery by interrogatories;

(c) the amendment of a writ, pleading, memorandum of appearance, or other document;

- (d) extension or enlargement of time;
- (e) renewal of writ;
- (f) addition, omission or substitution of parties;
- (g) substituted service;
- (h) garnishee orders nisi, orders to third persons to attend garnishee proceedings (under order 49 rule 6) and garnishee orders absolute;
- (i) security for costs;
- (j) leave to enter judgment for costs under Order 13 rule 6 (2);
- (k) transfer of proceedings under Order 4 rule 1;
- (l) order for pre-trial conference under Order 34 rule 2(3);
- (m) leave to withdraw summons under Order 21 rule 6;
- (n) judgment or order on an admission, or on a summons under Order 27 rule 3, for a sum of money only;
- (o) leave to serve writ out of the jurisdiction;
- (p) orders by consent;
- (q) order admitting to prove a will as contained in a copy;
- (r) extension of time for registration of a Bill of Sale.

Dated at Suva this 9th day of July 1997.

**T.U. TUIVAGA**  
Chief Justice

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