

FIJI

**SUPREME COURT ACT
(CHAPTER 13)**

SUPREME COURT (AMENDMENT) (NO. 2) RULES, 1981

IN exercise of the powers conferred upon me by section 25 of the Supreme Court Act, I have made the following Rules:-

Short title and commencement.

1. These Rules may be cited as the Supreme Court (Amendment) (No. 2) Rules 1981, and shall come into force on the 1st day of September, 1981.

Appendix 1

2. Appendix 1 of the Supreme Court Rules is amended-

(a) by inserting the following modification immediately after the modification to Order 34 rule 2(3) of the Applied Rules -

"(c) Insert new para. (4) -

"(4) If, within the three months next following the expiration of the period fixed under paragraph (1), the action is not set down for trial by the plaintiff or the defendant and no application has been made by the defendant under paragraph (2) for the action to be dismissed, the proper officer may set down the action for trial on giving at least thirty days' notice of his intention to do so, by post or otherwise, to the plaintiff and the defendant.";

(b) by substituting the following modification for the modification to Order 34 rule 3 of the Applied Rules -

"Rule 3-For this rule substitute the following -

" 3. -(1) In order to set down an action for trial, the party setting it down shall deliver to the proper officer two certified true copies of the following documents typewritten or printed so as to be clearly legible and bound in book form, in chronological order and with the pages numbered in their correct sequence-

(a) the writ;

(b) the pleadings (including any affidavits ordered to stand as pleadings); and

(c) all orders made on the summons for directions for the use of the judge.

(2) If an action has been set down for trial by the proper officer under rule 2(4), the party who has the conduct of the action shall comply with paragraph (1) in all respects as if he were himself setting down the action for trial."

Dated this 27th day of July 1981.

T. TUIVAGA
Chief Justice
