

Office of the Chief Registrar,  
Supreme Court,  
Government Buildings,  
SUVA

16 August, 1993

CHIEF REGISTRAR'S PRACTICE DIRECTION NO.3 OF 1993

TO: President, Fiji Law Society  
Secretary, Fiji Law Society  
All Legal Practitioners.  
Solicitor-General

SPECIAL DAMAGES IN PERSONAL INJURY ACTIONS

1. I am directed to draw the attention of all legal practitioners to the fact that time is too often wasted at the trial of personal injury actions because the parties do not try to agree to the items of special damages, or to find out to what extent they disagree and why, until the hearing is imminent or has actually started. To, avoid this happening, the practice set out in paragraph 2 is to be followed in future.
2. In any personal injury actions in which the damages claimed consist of or include a claim for :
  - a) Loss of earnings;
  - b) Loss of future earning capacity;
  - c) Medical or other expenses relating to or including the cost of care, attention, accommodation or appliances;
  - d) Loss of pension rights;

particulars, where appropriate in the form of a schedule, shall be prepared by the party making such claim and, not later than 38 days after the case has been set down for hearing by the Registrar, shall be served upon all other parties against whom such claim is made. Not later than 14 days thereafter every party upon whom particulars have been served shall indicate in writing whether and to what extent each item is agreed and if not agreed, the reason why not and any counter proposals.

3. The failure by a party to comply with these requirements maybe taken into account in deciding any question of costs.

M.C. Rai  
ACTING CHIEF REGISTRAR