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IN THE SUPREME COURT OF TONGA
AND
IN THE LAND COURT OF TONGA

PRACTICE DIRECTION NO. 1 OF 2013: SERVICE

1. Applications for actual service, for service to be effected by with and for service out of the jurisdiction

Under the provisions of Order 2 Rule 6 these applications will henceforth be dealt with by the Chief Registrar. Any party dissatisfied with a decision of the Chief Registrar may apply to have the decision reviewed by a judge.

2. Service of documents

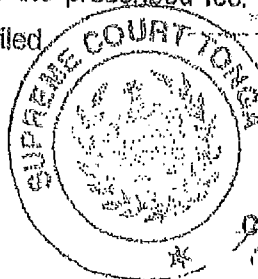
Under Order 11 Rules 3(1) and (2) the responsibility for serving documents filed by a legally represented party lies with that party's lawyer (unless otherwise ordered by the Court).

Documents should not be served and certificates or affidavits of service completed personally by the lawyer who will be appearing for the party on whose behalf the documents are served.

Under Rule 3(3) when a party acts in person, service on behalf of that person must be effected by a service officer (usually a bailiff or a police officer) upon payment of the prescribed fee which is \$13 per person served (Court Fees (am) Act 2010).

Order 14 of the Supreme Court Rules does not apply in the Land Court (O.6 R1(3)). When, however, a defence has not been filed the defendant must be given notice of the hearing of formal proof. Responsibility for giving notice lies with the lawyer acting for the plaintiff. When the plaintiff acts in person notice must be given on his behalf by a service officer upon payment of the prescribed fee. In either case a certificate of service on the defendant must be filed.

Nuku'alofa: 16 May 2013.



M.D. Scott
M.D. SCOTT
CHIEF JUSTICE