

THE MAGISTRATES' COURTS ORDINANCE 1977  
(ORDINANCE NO 17 OF 1977)

THE MAGISTRATES' COURTS (AMENDMENT) RULES 1980

In exercise of the powers conferred by section 88(a) of the Magistrates' Courts Ordinance 1977 (Hereinafter referred to as 'the principal Ordinance') the Chief Justice hereby makes the following Rules:-

Citation and commencement

1. These Rules may be cited as the Magistrates' Courts (Amendment) Rules 1980 and shall come into force on publication.

Addition of new Rule 57.

2. The Magistrates' Courts Rules 1980 (hereinafter referred to as the principal Rules) are amended by the addition immediately after Rule 56 of the following rule:

"Copy of record or judgment to be supplied on payment. 57. Notwithstanding the provisions of section 55 of the principal Ordinance any party to a civil case or to a land cause or matter may apply to the Court for, and shall be granted a copy of, the record or the judgment or both in the said matter on payment to the Clerk of Court of the sum of 10 cents for every 72 words or part of 72 words of such record or judgment."

Addition of new Rule 58.

3. The principal Rules are amended by the addition immediately after Rule 57 of the following rule:

"Power of Courts in civil and land causes to grant injunctions. 58(1) Where any person takes an action or or makes a claim in the Magistrates' Court or in the Magistrates' Court (Lands) the person making such claim or taking such action may apply to the Court and if he satisfies such Court that the subject matter of the claim or the action or any part of it is likely to be interfered with in any way whatever to the prejudice of the plaintiff or to be destroyed, altered or taken away or in any way changed or built upon, the Court may make an order that such interference, destruction, alteration, taking away, change or building do stop at once and any person who fails or refuses to obey such order shall be liable to be imprisoned by the Court for a period of not more than one month and any structure or building put up in contravention of the Court's order shall be removed by the Court or its duly appointed agent and any damage or destruction or loss caused in contravention of the Court's order shall be compensated for by the person or persons responsible therefor or a further term of imprisonment of not more than one

month may be imposed by the Court in default thereof.

(2) Such an order made by the Court shall be called an injunction and any person aggrieved by an injunction may appeal to the High Court appropriately composed but pending the outcome of the appeal, any injunction order made by the Magistrates' Court or the Magistrates' Court (Lands) shall be carried out unless the Court granting the injunction otherwise orders"/

Made at the High Court, Betio, this 1st day of September, 1980.

J A O'BRIEN QUINN  
Chief Justice

Published by exhibition at the Public Office of the Beretitenti this 4th day of September, 1980.

KAKAIUA KIRIMAU  
for Secretary to the Cabinet

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