

## Vanuatu Civil Procedure Rules Part 13, Article 13.5

### ~~Filing of order~~

~~13.3 (1) If a judge or magistrate writes the terms of an order on a file or on a document in a file, then until the order is filed the writing is sufficient proof that the order was made and of its date and terms.~~

~~2) In subrule (1), “filed” means written in a separate document, signed by the judge or magistrate and sealed.~~

~~[NOTE: For enforcement of judgments see Part 14.]~~

### ~~Suspension of enforcement~~

~~13.4 Filing an appeal against a judgment does not affect the enforcement of the judgment unless:~~

- ~~(a) the party appealing applies for a suspension; and~~
- ~~(b) the court grants a suspension.~~

### **Enforcement of foreign judgments**

**13.5 (1)** A person who wishes to enforce a judgment of a foreign court in Vanuatu (a “foreign judgment”) may file a claim in the Supreme Court under Part 2.

2) The claim must set out the following:

- (a) the foreign judgment is for a fixed amount; and
- (b) the foreign court had jurisdiction over the person against whom the judgment was made; and
- (c) the foreign judgment is final and conclusive; and
  - d) the amount payable under the judgment that has not been paid; and
  - e) regarding an appeal:
    - (i) the time for an appeal has ended and no appeal has been lodged; or
    - (ii) an appeal was lodged but it was unsuccessful.

(3) The claim must have with it a sworn statement that:

- a) supports the claim; and
- b) verifies the foreign judgment.

(4) The claim must also have with it a sworn statement by a lawyer practising in the foreign country that:

- a) sets out his or her qualifications to give evidence on the law of the foreign jurisdiction; and
- b) confirms the foreign judgment is valid, final and conclusive.