



**REPUBLIC OF NAURU**  
**GOVERNMENT GAZETTE**  
**PUBLISHED BY AUTHORITY**  
**EXTRAORDINARY**

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No.9

15th February 2001

Nauru  
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G.N.No. 27 /2001

**CIVIL PROCEDURE ACT**

**CIVIL PROCEDURE (AMENDMENT) RULES 2001**

IN EXERCISE of the powers conferred on me by Section 76 of the Civil Procedure Act 1972,  
I hereby make the following rules of court-

SHORT TITLE

1. These Rules may be cited as the Civil Procedure (Amendment) Rules 2001.

INTERPRETATION

2. In these Rules "Rules of Court" means the Rules of Court set out in the Schedule to the Civil Procedure Rules 1972.

ADDITION OF RULE 7A TO ORDER 11 OF THE RULES OF COURT.

3. The Rule of Court are amended by the addition to Order 11 of a new Rule 7A as set out in the First Schedule to these Rules.

ADDITION OF A NEW ORDER 28A TO THE RULES OF COURT.

4. The Rules of Court are amended by the addition of the new Order 28A as set out in the Second Schedule to these Rules.

Made this 15<sup>th</sup> day of February, 2001.

**H.B. CONNELL**  
**CHIEF JUSTICE**

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G.N.No. 28 /2001

**FIRST SCHEDULE**

**(RULE 3)**

**ORDER 11**

**DEFAULT OF APPEARANCE OR ATTENDANCE**

**Default of attendance at Call Over under Order 28A. (0.11,r/7A)**

7A. Where a party to a civil suit fails to attend a call-over as directed under Order 28A, the Court may receive and thereupon determine an application for a judgement in default under the terms of Order 11 rules 1, 2, 3, 4, 5, 6, or 7 as the case may be.

**SECOND SCHEDULE**

**(RULE 4)**

**ORDER 28A**

**LIST CALL-OVER**

**Call-Over (0.28A,r.1)**

1. (1) At any point of time before a Supreme Court sitting the Chief Justice may direct the Registrar to order and undertake a Call-Over of the Supreme Court list.
- (2) Upon such direction, notice in the Government Gazette must be given of such a Call-Over and the list of cases to be called-over.
- (3) Seven or more days notice is to be given of the date fixed for the Call-Over.
- (4) The Call-Over maybe undertaken either by the Registrar or the Chief Justice.
- (5) At the Call-Over, the Court will require the parties or agents of the parties to be in attendance with full instructions as to the progress or otherwise of the suit and its readiness for trial, and its estimated length.
- (6) The Court may give directions under this Order for the future conduct of the suit, alternatively, the Court may in the appropriate case therein accept applications for discontinuance, dismissal for want of prosecution or adjournment pending settlement.
- (7) Where a Call-Over is directed, service of notice on the agent or parties in each suit will be made by the Court together with a copy of this Order.

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G.N.No. 28 /2001 (cont'd)

- (8) Failure to attend the Call-Over by parties or their agents may result in action being taken by the Court either to dismiss a suit or grant a judgement upon application for default of attendance under Order 11 rule 7A.

Made this 15<sup>th</sup> day February, 2001.

**H.B. CONNELL**  
**CHIEF JUSTICE**

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G.N.No. 29 /2001

**SUPREME COURT SESSIONS**

HIS HONOUR MR. HENRY BARRY CONNELL, CHIEF JUSTICE OF NAURU, SHALL PRESIDE OVER THE NEXT SUPREME COURT SESSION COMMENCING TUESDAY, 27<sup>TH</sup> FEBRUARY 2001 UNTIL 9<sup>TH</sup> MARCH, 2001.

THE SUPREME COURT WILL SIT TO CALL-OVER THE COURT'S CIVIL LISTS OF MATTERS AND CAUSES AS OUTLINED IN THE ATTACHED COURT LIST.

THE PARTIES OR THEIR LEGAL REPRESENTATIVES OR AGENTS ARE ADVISED TO APPEAR AT CALL OVER OF CIVIL MATTERS OR CAUSES BEFORE THE CHIEF JUSTICE ON TUESDAY, 27<sup>TH</sup> FEBRUARY 2001 AT 10:00 A.M.

**LEO D. KEKE**  
**REGISTRAR, SUPREME COURT**

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No.9

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G.N.No. 30 /2001

**IN THE REPUBLIC OF NAURU**

**SUPREME COURT SESSION**

Before His Honour Mr. Henry Barry Connell, Chief Justice, in the Supreme Court at Yaren.

**COURT SCHEDULE  
(27 FEBRUARY – 9 MARCH, 2001)**

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G.N.No. 31/2001

**OPENING OF SUPREME COURT SESSIONS  
FEBRUARY – MARCH 2001**

**FULL COURT DRESS**

**TUESDAY, 27<sup>TH</sup> FEBRUARY 2001**  
**10:00 a.m.**

Call-over of the Supreme Court Civil List before His Honour the Chief Justice.

|         |                                       |
|---------|---------------------------------------|
| 14/1993 | ALLAN THOMA v JOHN DUBE               |
| 7/1994  | R.O.N. v THOMAS REID & ORS            |
| 9/1994  | RAPINI PTY LTD. v STARETT DONGOBIR    |
| 2/1995  | R.O.N. v NOVAFIDE & ORS               |
| 6/1995  | Application for Mandamus              |
| 7/1995  | TEINAI KAIERUA v IOSEFA ELISALA & ORS |
| 7/1996  | WALKABOUT TRAVEL v REMY NAMADUK       |
| 15/1996 | STELLA AGOGENANG v IRIS GARABWAN      |
| 16/1996 | NAURU PHOSPHATE CORP. v RENE HARRIS   |
| 9/1997  | EIDIDI JEREMIAH & ANOR v NLC & ORS    |
| 1/1998  | JOSEPH HIRAM v NPC                    |
| 4/1998  | MIZPAH DETENAMO v SEC. FOR JUSTICE    |

G.N.No. 31 /2001 (cont'd)

|         |   |
|---------|---|
| 12/1998 | QUESTED AKKEN v CURATOR OF INTESTATE ESTATE & ANOR  |
| 14/1998 | SAMUEL GRUNDLER v NAURU CORP. & ORS                 |
| 15/1998 | SURANGI N. DEO v CHIEF SECRETARY                    |
| 16/1998 | PEARL DAGEAGO v NOTUE BATIUA & ORS                  |
| 3/1999  | ALMI GRUNDLER & ORS v NLC                           |
| 4/1999  | LUCAS DEPOUDU v LANZA RATABWIY & ORS                |
| 8/1999  | LAWRENCE STEPHEN v PETER IKA                        |
| 10/1999 | SPRENT DABWIDO v ERAMUT HARRIS                      |
| 12/1999 | KEN AGEIDU v VIOLET McKAY                           |
| 13/1999 | GOGOMA SAM AMWANO v NLC & ORS                       |
| 15/1999 | ALLAN THOMA v LUCAS DEPOUDU                         |
| 16/1999 | BIG RIVER TIMBERS PTY. LTD. v MAREE BENJAMIN & ANOR |
| 17/1999 | WALLY JAMES HEDMON v SUNSHINE STEPHINE & ORS        |
| 18/1999 | ENUERE BILL v EIGIGU HOLDINGS                       |
| 19/1999 | CRISPIAN ADEANG v EIDUNGURE ALIKLIK                 |
| 20/1999 | SANDRA SCOTTY v MICK ADEANG                         |
| 21/1999 | EIDINGAERO DAKE v NLC & ORS                         |
| 23/1999 | NEI TOKA CHAN v HE LIYAN & ORS                      |
| 25/1999 | KENNAN ADEANG & ANOR v N.P.C.                       |
| 2/2000  | HETTY TOM v MERE TOM DAKE                           |
| 3/2000  | JOHN DETAGEOUWA v DIRECTOR OF POLICE & ANOR         |
| 4/2000  | JONATHAN DEMAUNGA v LUCAS DEPOUDU                   |
| 5/2000  | NERIAN BAGUGA v HAROLD JEREMIAH                     |
| 6/2000  | PAULO RALULU v CHIEF SEC. & ANOR                    |

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7/2000 MASON DICK & ORS v ALLAN CHO  
8/2000 LIVINGSTONE AIY v EDEMEROUT GARABWAN & ORS  
9/2000 CLAY SOLOMON v NAURU AIR CORP.  
10/2000 MINERVA HARRIS v JESRAEL JEREMIAH  
11/2000 CLIPPTONE GABOUWA v IVAN MOTITI  
15/2000 REP. OF NAURU v EINUERE BILL & ANOR  
16/2000 KINZA CLODUMAR v NAURU LANDS COMM.  
17/2000 KINZA CLODUMAR v CURATOR OF INTESTATE ESTATES  
18/2000 JONATHAN SEYMOUR v SIMPSON SIMON  
19/2000 MYRON ROLAND v NPC  
20/2000 LAWRENCE COOK v SEC. FOR JUSTICE & ORS  
21/2000 R.O.N. v RENE HARRIS  
22/2000 DARCY PHILIPPS v ERNESTINA AKIBWIB & ANOR  
23/2000 SIMON AKU v TERAIKI KETNER & ANOR  
24/2000 CLARICE GADABU & ANOR v DUMAS DABWIDO  
25/2000 SOPHIE OPPENHEIMER v ALEXUS PETER NAMADUK  
26/2000 EDOUWE APIN v LOMAX APIN & ORS  
27/2000 NAURU PHOSPHATE CORP. v ANGELA KUN  
1/2001 VINSON DETENAMO v NELSON TAMAKIN

**WEDNESDAY, 28<sup>TH</sup> FEBRUARY 2001**  
**10:00 A.M.**

In-Chambers.

1 Mareta Tom

12 Noon Onwards – Chamber Matter arising from Call-Over.