

## IN THE SUPREME COURT OF TONGA

Practice Direct No.5/92

## Writs of distress

10 By O 26 or 7(2) of the Supreme Court Rules, a writ of distress shall be executed in the same manner as is prescribed in the Magistrates Courts Act for execution of distress warrants. Section 54 of that Act, as amended by Act 13/91, provides that goods seized shall be sold by auction either on the premises or in the public square of the village.

In many Supreme Court cases the value of goods such as motor vehicles may make such procedure inappropriate. More suitable arrangements may be made under rule 7(3) and, in future, all applications for writs of distress must state the manner in which it is suggested the goods seized are to be dealt with. Failure to provide this information may result in the writ being refused.