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28/07/16



LORD CHIEF JUSTICE

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Our Ref : C-30-417/2016

Date : 28 July 2016.

Supreme Court,
P.O. Box 11,
Nuku'alofa,
KINGDOM OF TONGA

To: All Law Practitioners
Tonga

Re: Email policy

Please find **attached** a policy relating to the filing of documents and correspondence with the Court.

Any queries relating to the policy should be raised with the Assistant Registrar Miss.F Fonua.

A handwritten signature in black ink, appearing to read 'O G Paulsen'.

O G Paulsen
Lord Chief Justice



rec'd 28/07/16
H/C

Email policy

- [1] Occasionally counsel will send documents for filing by email to a Judge's assistant. The Supreme Court Rules contain no provision for the filing of documents by email. Nevertheless the court recognises that in some rare instances it may be appropriate that documents be sent to the court by email. The following policy will now apply.

- [2] No action shall be commenced but by the filing of a hardcopy writ of summons and statement of claim and payment of the relevant fee at the office of the court pursuant to Order 6. Rule 1 Supreme Court Rules. Any other document shall only be submitted for filing by email where there is genuine urgency, or it is impracticable for the document to be presented for filing at the office of the court, or the court has required the document to be filed by email.

- [3] Any emailed correspondence or document must be directed by the sender to at least two recipients at the court. One of those recipients must be either the Registrar (stuakalau@justice.gov.to) or the Assistant Registrar (ffonua@justice.gov.to).

- [4] The length of any attachments and total size of an e-mail must not exceed the maximum which the court office can accept.

- [5] The staff member who receives any such email should advise the sender of its receipt. They must immediately save the email to the appropriate file in the I drive, print out the email in its entirety, update the court file and place the file and email before the Registrar for further action.

- [6] It is the responsibility of the party sending any document or correspondence to the court to ensure that the email is received and, where applicable, within any relevant time limits. If an email requires urgent attention, the sender should contact the court by telephone.
- [7] The court may refuse to accept any document or correspondence by email in its absolute discretion.
- [8] In a case where a fee is payable upon the filing of any document, a hard copy of that document must be presented for filing with the court on the first available date and the relevant fee paid.
- [9] Any staff member who has or is likely to receive any document or correspondence from counsel by email must when going on leave activate an out of office reply during the entire period of their leave. Nothing in this paragraph derogates from a sender's responsibilities under paragraph [6].
- [10] A copy of this policy should be provided to Law Practitioners in their pigeon holes.

Dated: 28 July 2016.

O.G. Paulsen
LORD CHIEF JUSTICE