

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 52.

Judicial Proceedings (Interest on Debts and Damages).

GENERAL ANNOTATION.

ADMINISTRATION.

The administration of this Chapter was vested in the Minister for Justice at the date of its preparation for inclusion.

The present administration may be ascertained by reference to the most recent Determination of Titles and Responsibilities of Ministers made under Section 148(1) of the Constitution.

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INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 52.

Judicial Proceedings (Interest on Debts and Damages) Act.

ARRANGEMENT OF SECTIONS.

1. Interest on certain debts and damages.
2. Interest on interest, etc.
3. Interest on debt under judgement or order.

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INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 52.

Judicial Proceedings (Interest on Debts and Damages) Act.

Being an Act to make provision for interest on certain judgements.

1. Interest on certain debts and damages.

Subject to Section 2, in proceedings in a court for the recovery of a debt or damages the court may order that there be included in the sum for which judgement is given interest, at such rate as it thinks proper, on the whole or part of the debt or damages for the whole or part of the period between the date on which the cause of action arose and the date of the judgement.

2. Interest on interest, etc.

Nothing in Section 1—

- (a) authorizes the awarding of interest on interest; or
- (b) applies in relation to a debt on which interest is payable as of right, whether under an agreement or otherwise; or
- (c) affects the damages recoverable for the dishonour of a bill of exchange.

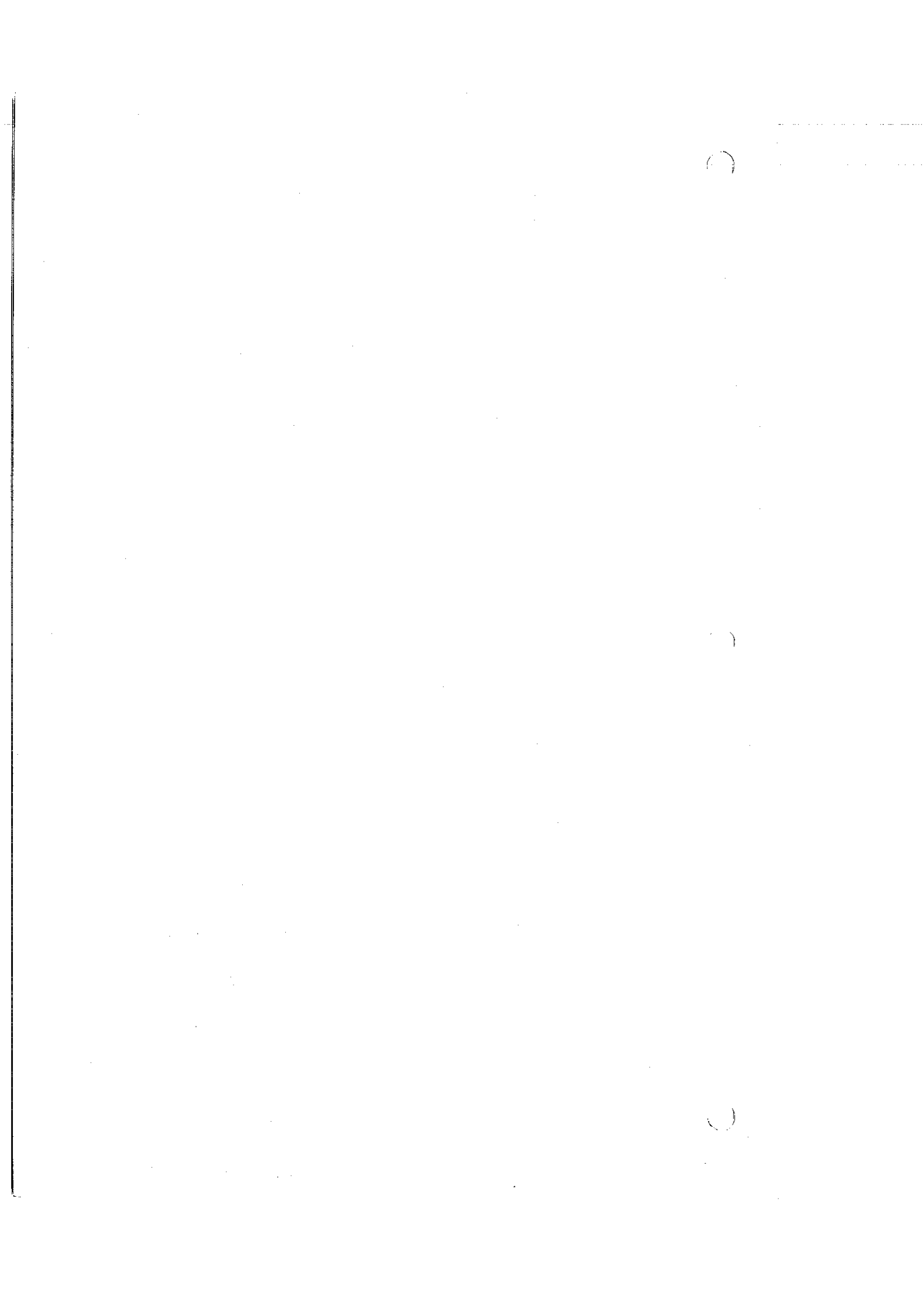
3. Interest on debt under judgement or order.

(1) Subject to Subsections (2) and (3), where judgement is given or an order is made for the payment of money, interest shall, unless the court otherwise orders, be payable at the prescribed rate from the date when the judgement or order takes effect on such of the money as is from time to time unpaid.

(2) Where, in proceedings on a common law claim, the court directs the entry of judgement for damages and the damages are paid within 21 days after the date of the direction, interest on the judgement debt shall not be payable under Subsection (1) unless the court otherwise orders.

(3) Where, in proceedings for damages on a common law claim, the court makes an order for the payment of costs and the costs are paid within 21 days after the ascertainment of the amount of the costs by taxation or otherwise, interest on the costs shall not be payable under Subsection (1) unless the court otherwise orders.

(Added by No. 4 of 1983.)



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APPENDIX 1.

SOURCE OF THE JUDICIAL PROCEEDINGS (INTEREST ON DEBTS AND DAMAGES) ACT.

Previous Legislation.

Judicial Proceedings (Interest on Debts and Damages) Act

as amended by—

Judicial Proceedings (Interest on Debts and Damages) (Amendment) Act 1983 (No. 4 of 1983).

