

RULE 66 – TRANSFER OF PROCEEDINGS TO AND FROM TERRITORIAL COURT

Definition

- (1) In this rule, "transfer order" includes an order of the Territorial Court to transfer a proceeding to the Supreme Court and an order by the Supreme Court to transfer a proceeding to the Territorial Court.

Transfer order to Supreme Court

- (2) If a proceeding has been commenced in the Territorial Court and a judge of that court orders that the proceeding be transferred to the Supreme Court, these rules apply to the proceeding as if it had been commenced in the Supreme Court.

Pleadings

- (3) If a proceeding is transferred to the Supreme Court in the manner referred to in subrule (2),
 - (a) the claim filed in the Territorial Court is deemed to be the statement of claim filed in the Supreme Court; and
 - (b) the reply filed in the Territorial Court is deemed to be the statement of defence filed in the Supreme Court.

Case Management Meeting

- (4) When a proceeding is transferred to the Supreme Court, a case management meeting shall be scheduled to promptly give directions to the parties, which may include the filing of new pleadings.

Filing fees

- (5) Despite any other provision of these rules, the fees payable in respect of the statement of claim and the statement of defence are the same fees payable in the Supreme Court less any amount previously paid in the Territorial Court.

Transfer order to Territorial Court

- (6) If a proceeding has been commenced in Supreme Court, a clerk may transfer the proceeding to the Territorial Court pursuant to the *Small Claims Court Act*.