

105. Non-compliance with any of these rules shall not render the proceedings void, but the proceedings may be set aside, either wholly or in part, as irregular, or amended, or otherwise dealt with in such manner and on such terms as the Court may deem just.

106. The jurisdiction of the Court in any proceeding may be exercised from time to time by any of the Judges of the Court and at any time or place, notwithstanding that the proceeding may not have been duly continued by adjournment from time to time or from place to place.

107. If at the time and place of trial stated in any summons or notice to a defendant or other party in any civil or criminal proceeding, or in any summons to a witness, or at the time and place to which the trial or hearing of any action, prosecution, or other proceeding has been adjourned, a Judge of the High Court is not present, a Registrar, if present, may adjourn the Court to another time and to the same or any other place. If within one hour after the time so stated in any such summons or notice, or appointed by any adjournment, a Judge is not present and no adjournment by the Registrar has taken place, the Court shall be deemed to be adjourned to the same place on the next succeeding day at the hour stated in the summons or notice, or at any other hour so appointed by adjournment, and so on from time to time. On every such adjournment the summons or notice shall have the same effect as if the time and place to which the Court is adjourned had been set forth in the summons or notice.

108. The High Court Act, 1898, and all amendments thereof, and all rules and regulations made thereunder, are hereby repealed in respect of every island included in the Cook Islands.

109. In these rules the term "Court" or "High Court" means the High Court of the Cook Islands.

#### FIRST SCHEDULE.

In the High Court of the Cook Islands.

Between A. B., of Rarotonga, Native, —  
Plaintiff,  
and  
C. D., of Rarotonga, Native,  
Defendant.

THE plaintiff claims the sum of £10 due to him as the price of goods sold and delivered by him to the defendant, particulars whereof are as follows:

[Or]

The plaintiff claims £50 as damages for an assault committed against him by the defendant on the            day of           , 19           , at           .

[Or]

The plaintiff claims possession of certain chattels wrongfully detained by the defendant—namely,

[Or]

The plaintiff claims a divorce from the defendant on the ground of her adultery with one E. F.

[Or]

The plaintiff claims the sum of £100 as damages for a breach of contract committed by the defendant under the following circumstances: [*Setting out the facts*].

#### SECOND SCHEDULE.

Form 1.

SUMMONS TO A DEFENDANT.

In the High Court of the Cook Islands.

Between A. B., of           ,  
Plaintiff,  
and  
C. D., of           ,  
Defendant.

You are hereby summoned to appear and defend this action at the trial thereof before the High Court on           , the            day of           , 19           , at            o'clock in the            noon, at [*Place of trial*]. A copy of the statement of claim is hereto annexed.

To the above-named defendant.

[SEAL.]

.....  
Registrar.