

**CHAPTER 80**

**CIVIL PROCEDURE (AWARD OF INTEREST)**

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## CHAPTER 80

### CIVIL PROCEDURE (AWARD OF INTEREST)

**An Act to provide for the award of interest upon debts and damages in court and for court judgments in civil matters to carry interest.** *8 cf 1992*

*[Assent 7th April, 1992]  
[Commencement 1st August, 1992]*

**1.** This Act may be cited as the Civil Procedure (Award of Interest) Act. Short title

**2.** (1) Every judgment debt shall carry interest at such rate as shall be prescribed by rules of court made by the Rules Committee constituted by section 75 of the Supreme Court Act, and such interest may be levied under a writ of execution on such judgment: Judgment debts to carry interest  
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Provided that nothing in this section shall apply in relation to any judgment debt upon which interest is payable as of right, whether by virtue of an agreement or otherwise.

(2) Interest under this section shall run —

- (a) if the judgment has been obtained in the Supreme Court, from the time of entering it up; and
- (b) if the judgment has been obtained in a Magistrate's Court, from the date when it was pronounced in open court,

and in either case until the same is satisfied.

**3.** (1) In any proceedings tried in any court, whether or not a court of record, for the recovery of any debt or damages, the court may if it thinks fit, order that there shall be included in the sum for which judgment is given interest at such rate as it thinks fit on the whole or any part of the debt or damages for the whole or any part of the period between the date when the cause of action arose and the date of the judgment: Award of interest upon debts and damages

Provided that nothing in this section —

- (a) shall authorise the giving of interest upon interest; or
- (b) shall apply in relation to any debt upon which interest is payable as of right, whether by virtue of any agreement or otherwise; or
- (c) shall affect the damages recoverable for the dishonour of a bill of exchange.

(2) Where in any such proceedings as are mentioned in subsection (1) judgment is given for a sum which (apart from interest or damages) exceeds three thousand dollars and represents or includes damages in respect of personal injuries to the plaintiff or any other person, or in respect of a person's death, then (without prejudice to the exercise of the power conferred by that subsection in relation to any part of that sum which does not represent such damages) the court shall exercise that power so as to include in that sum interest on those damages or on such part of them as the court considers appropriate, unless the court is satisfied that there are special reasons why no interest should be given in respect of those damages.

(3) Any order under this section may provide for interest to be calculated at different rates in respect of different parts of the period for which interest is given, whether that period is the whole or part of the period mentioned in subsection (1).

(4) In this section "personal injuries" includes any disease and any impairment of a person's physical or mental condition.