



## **LAWS OF MADAGASCAR WIKI**

### **Act 1**

### **COURT ACT 2018**

*Incorporating all amendments up to 1 February 2018*

## **COURT ACT 2018**

First enacted

2018 (Act 1 – Court Act 2018)

# **LAWS OF MADAGASCAR WIKI**

## **Act 1**

### **COURT ACT 2018**

#### **ARRANGEMENT OF SECTIONS**

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##### **PRELIMINARY AND GENERAL**

###### *Preliminary*

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*General*

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# **LAWS OF MADAGASCAR WIKI**

## **ACT 1 COURT ACT 2018**

### **PART I PRELIMINARY AND GENERAL** *Preliminary*

#### **Short title**

1. This Act may be cited as the Court Act 2018

#### **Interpretation**

2. In this Act—

“Court” means the Supreme Court, the Court of Appeal or the High Court, as the case may require;

“decision” means judgment, sentence or order, but does not include any ruling made in the course of a trial or hearing of any cause or matter which does not finally dispose of the rights of the parties;

“he” or “him” means a user, irrespective of the gender;

“High Court” means the High Court of the Madagascar Wiki;

“Judge” means a Judge of the Supreme Court, of the Court of Appeal or of the High Court;

“matter” includes every proceeding in court not in a cause.

#### **Provision to prevent conflict of laws**

3. In the event of inconsistency or conflict between this Act and any other written law other than the Constitution in force at the commencement of this Act, the provisions of this Act shall prevail.

#### *General*

#### **Judges**

4. (1) Subject to Sub-sections (2), and 3, Members of the Madagascar Wiki Council shall take turns in becoming the judge for all the court cases.

(2) If the member in turn to be the Judge is involved in the Court case, the member shall be skipped and the next uninvolved member shall be picked as the Judge.

(3) If the member in turn to be the Judge is not able to be the Judge for any reasons, they can request to skip his turn and the next member shall be picked as the Judge.

(4) All Court cases shall have one Judge, except for cases in the Supreme Court which shall have the Bureaucrats as the Judges as well, except if one or more of the Bureaucrats is involved in the case or is not able to be the Judge.

## Issues

5. (1) The Court can only discuss cases on—

(a) *offences against laws*

(b) *challenge on Administrators*

(2) The Judge has the rights to dismiss the case, if he finds that the case is not important or is not worth to be discussed in the Court.

## Failure to attend court

6. (1) If a user fails to attend the court, the judge may choose to punish the user without any discussion.

(2) If a user fails to attend the court for three times, they shall be blocked for a term not exceeding one week, in addition to their existing punishment.

(3) If a user fails to attend the court after two temporary blocks, they shall be blocked for a term not exceeding one year, in addition to their existing punishment.

(4) If a user finds no need in defending himself in the court, the user may admit guilty and skip the proceeding, and the Judge shall punish him accordingly.

## PART II

### HIGH COURT

#### *General*

## Composition of the High Court

7. Every proceeding in the High Court thereout shall, save as provided by any written law, be heard and disposed of before a single Judge.

## *Jurisdiction*

### **Criminal jurisdiction**

8. (1) The High Court shall have jurisdiction to try all offences against the laws of Madagascar Wiki, committed in the Madagascar Wiki.

(2) The High Court may pass any sentence allowed by law.

(3) The High Court cannot overrule any case discussed in the Court of Appeal and Supreme Court, nor any case discussed in the High Court itself.

### **Challenges against the Administrator to be discussed in the Supreme Court**

9. If a user challenges an Administrator's position, the case shall be brought up to the Supreme Court without any discussion in the High Court nor the Court of Appeal.

## PART III

### COURT OF APPEAL

#### *General*

### **Composition of the Court of Appeal**

10. Every proceeding in the Court of Appeal thereout shall, save as provided by any written law, be heard and disposed of before two Judges.

## *Jurisdiction*

### **Criminal jurisdiction**

11. (1) The Court of Appeal shall have jurisdiction to try all offences against the laws of Madagascar Wiki, committed in the Madagascar Wiki.

(2) The Court of Appeal may pass any sentence allowed by law.

(3) The Court of Appeal may only rediscuss any discussed cases from the High Court

(4) The Court of Appeal cannot overrule any case discussed in the Supreme Court, nor any case discussed in the Court of Appeal itself.

## PART IV

### SUPREME COURT

#### *General*

## **Composition of the Supreme Court**

**12.** Every proceeding in the Supreme Court thereout shall, save as provided by any written law, be heard and disposed of before two or three Judges.

### *Jurisdiction*

#### **Criminal jurisdiction**

**13.** (1) The Supreme Court shall have jurisdiction to try all offences against the laws of Madagascar Wiki, committed in the Madagascar Wiki.

(2) The Supreme Court may pass any sentence allowed by law.

(3) Subject to Section (9), the Supreme Court may only rediscuss any discussed cases from the Court of Appeal.

(4) The Supreme Court cannot overrule any case discussed in the Supreme Court itself until after a year of cooldown.

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