Judicial Fund Act, 2043 (1986)

Preamble: Whereas it is expedient to establish a Judicial Fund as a revolving fund in order to refund promptly the returnable court fee, amount for penalty, fine, guarantee or bail; to construct residential buildings for the judges as well as other employee serving in the court; to extend, maintain, and conserve such buildings and to perform other activities relating to justice,

Now, therefore, be it enacted by His Majesty the king Birandra Bir Bikram shah dev on the advice and with the consent of the National Panchyat.

1. **Short title and Commencement:** (1) This Act may be called "Judicial Fund Act, 2043 (1986)".

   (2) This Act shall come into force on the date prescribed by the Government of Nepal by publishing a Notification in the Nepal Gazette.

2. **Definition:** Unless the subject or context otherwise requires; in this Act:
   (a) "Fund" means Judicial Fund established pursuant to Section 7.
   (b) "Board" means the Board of directors constituted pursuant to Section 7.
   (c) "Prescribed" or "as Prescribed" means prescribed or as prescribed in the Rules framed under this Act.

3. **Establishment of the Fund:** (1) A Fund called "Judicial Fund" is hereby established.
(2) The Fund shall be operated as a revolving Fund.

4. **Moneys to be deposited on the Fund:** The following money shall be deposited on the Fund,-

(a) Grant to be obtained from the Government of Nepal from time to time.

(b) The amount deposited by the party of a case as a guarantee or bail.

5. **Use of the Fund:** The money of the Fund shall be expended on the following activities;

(a) To refund court fee, penalty, fine or other amount to be returned as per the law or a judgment or an order of a court.

(b) To refund the amount deposited as a guarantee or bail to be returned pursuant to the law or a judgment or an order of a court.

(c) To give reward or other amount to be given pursuant to law or a judgment or an order of a court.

(d) To construct court building, residential building for the judges and other employee of a court, to extend, maintain and conserve such building and to purchase land for the said purpose; if necessary,

(e) To make expenditure for any other judicial work to be preformed by a court pursuant to law.

6. **Reimbursement:** The amount given or refunded pursuant to Clauses (a) or (c) of Section 5 shall be reimbursed by the Government of Nepal.

7. **Constitution of the Board of Directors:** (1) In order to operate and monitor the acts and activities of the Fund, there shall be a Board of directors;
(a) The chief justice - Chairperson
(b) The senior most judge of the
Supreme Court - Member
(c) The Attorney General - Member
(d) Secretary at the Ministry of
Law and Justice - Member
(e) Registrar, Supreme Court - Member-Secretary

(2) The board of directors shall determine its' rules of procedure itself.

8. **Management and operation of the Fund**: (1) The money to be deposited on the Fund shall be put into such bank and account as prescribed.

   (2) The account of the Fund shall be operated in a manner as prescribed.

9. **Delegation of powers**: The board may delegate any of its powers to a judge or an employee of a court.

10. **Power to frame Rules**: In order to carry out the objectives of this Act, the Government of Nepal may, on the recommendation of the Board, frame necessary Rules.