

PAPUA NEW GUINEA.

District Courts Act.

Reg., Sec. 10.

Form 1.

REGISTER OF DECISIONS.

Register of Decisions in the District Court at

No.	Date.	Prosecutor, complainant or applicant.	Accused or defendant.	How before the Court.	Fees. K	Charge, cause or proceedings.	Decision.	Remarks.

PAPUA NEW GUINEA.

District Courts Act.

Reg., Sec. 12.

Form 2.

SUITORS' CASH BOOK.

Suitors' Cash Book in the District Court at

Dr.

Date.	No. in Register.	Complainant.	Defendant.	Particulars.	Cr. Folio.	Amount. K	Daily total. K

Cr.

Date.	No. in Register.	Complainant.	Defendant.	Particulars.	Dr. Folio.	Amount. K

Date.	No. in Register.	Complainant.	Defendant.	Particulars.	Dr. Folio.	Amount. K

PAPUA NEW GUINEA.

District Courts Act.

Reg., Sec. 13.

Form 3.

SECURITY BOOK.

Security Book in the District Court at

No. in Register.	Date of order or conviction.	Date of security.	Principal.	Amount. K	Surety or sureties.	Amount. K	Undertaking or condition by which principal is bound.	Before whom taken.

PAPUA NEW GUINEA.

District Courts Act.

Reg., Sec. 14.

Form 4.

INSTALMENT BOOK.

Instalment Book in the District Court at Year 20.....

No. in Register.	Date of decision.	Against whom made.	Amount. K	How payable.	Jan.	Feb.	Mar.	Apr.	May.	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Total. K

PAPUA NEW GUINEA.

District Courts Act.

Reg., Sec. 18.

Form 5.

ACKNOWLEDGEMENT OF MONEY PAID INTO COURT.

In the District Court at No.

A.B., Complainant.

C.D., Defendant.

Received from the the sum of kina (K.....).

Dated 20.....

Clerk of District Court.

PAPUA NEW GUINEA.

District Courts Act.

Reg., Secs. 30(2), 33.

Form 6.

NOTICE OF PAYMENT OF MONEY INTO COURT.

In the District Court at

A.B., Complainant.

C.D., Defendant.

Take notice that the defendant has paid into Court the sum of K..... and says that that sum is enough to satisfy your claim (or says that he denies all liability on your claim, as the case may be).

If you proceed and recover no further sum you may have to pay the costs incurred by reason of further proceedings.

Dated 20.....

(Signature of Defendant.)

To

PAPUA NEW GUINEA.

District Courts Act.

Reg., Sec. 34(1).

Form 7.

NOTICE OF ACCEPTANCE OF MONEY PAID INTO COURT.

In the District Court at

A.B., Complainant.

C.D., Defendant.

Take notice that I accept in full satisfaction of my demand in this complaint, including costs, the sum of money paid into Court.

Dated 20.....

(Signature of Complainant.)

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 150. Reg., Sec. 36.

Form 8.

MEMORANDUM OF ADJOURNMENT TO ANOTHER COURT.

In the District Court at

A.B., Complainant.

C.D., Defendant.

Date of complaint 20.....

Nature of complaint (state shortly)

The hearing of the complaint of (A.B.) wherein (C.D.) is the defendant, is, by virtue of Section 150 of the District Courts Act now adjourned by the Court until next 20..... at a.m./p.m. to the District Court at where the parties and their respective witnesses are required again to appear.

Dated 20.....

Magistrate.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 192. Reg., Sec. 37.

Form 9.

APPLICATION FOR SUMMONS FOR COMMITMENT.

In the District Court at

A.B., Complainant.

C.D., Defendant.

Date of complaint (or information) 20.....

Nature of complaint (state shortly)

I apply for the issue of a summons for commitment against the defendant, and I state that I rely on the following grounds for obtaining an order for committal of the defendant:--

(Set out the ground or grounds)

.....

.....

(Signature of Complainant or his Lawyer.)

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 196. Reg., Sec. 38.

Form 10.

CERTIFICATE OF PAYMENT.

In the District Court at

To the Officer-in-Charge of the corrective institution at

Whereas by virtue of a warrant issued out of the District Court at and dated 20....., was committed to your corrective institution to be there kept by you according to the terms of the warrant. This is to certify that has paid the money mentioned in the warrant (or has made satisfaction, as the case may be), and has paid all subsequent costs, and is now entitled to be discharged out of custody.

Dated 20.....

Clerk of District Court.

PAPUA NEW GUINEA.

District Courts Act.

Reg., Sec. 39.

Form 11.

SECURITY FOR SUM ADJUDGED TO BE PAID.

In the District Court at

Whereas, the defendant, was this day (or on 20.....) by a decision before the District Court at adjudged to pay the sum of K..... (by instalments of, the first instalment to be paid immediately or on 20.....), and to give security for the due payment of that sum.

Now the defendant and his sureties of and of undertake that the defendant will pay the sum adjudged at the time and in the manner directed and severally acknowledge themselves severally bound to forfeit and pay to the sum of in case the defendant fails to perform this undertaking.

(Signature of Defendant.)

(Signatures of Sureties.)

Before me

Dated 20.....

PAPUA NEW GUINEA.

District Courts Act.

Reg., Sec. 41(1).

Form 12.

NOTICE TO PRINCIPAL OF FORFEITED SECURITY.

In the District Court at

A.B., Complainant.

C.D., Defendant.

Take notice that the sum of K..... due by you as principal under a security entered into by you with as sureties is unpaid and that the security is forfeited and unless the sum be paid to me on or before 20....., a warrant of execution may issue for the same without further notice.

Dated 20.....

Clerk of District Court.

To

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 182. Reg., Sec. 42.

Form 13.

AFFIDAVIT IN SUPPORT OF APPLICATION FOR ORAL EXAMINATION.

In the District Court at

A.B., Complainant.

C.D., Defendant.

I, of, the complainant (or lawyer for the complainant), make oath and say as follows:--

1. By a decision of the District Court at dated 20....., it was ordered that I (or the complainant) should recover against the defendant the sum of K.....
2. The sum of K..... still remains unsatisfied to the extent of K.....
3. is indebted to the defendant in the sum of K..... or thereabouts.
4. is within Papua New Guinea.

(Signature of Complainant or his Lawyer.)

Sworn at, 20.....

Before me,

Commissioner for Oaths.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 21.

Form 14.

STATEMENT OF CAUSES OF COMPLAINT IN CIVIL CASES.

For that you assaulted by (state nature of assault).

For that certain goods of are detained by you.

For that you on 20....., at, were indebted to in the sum of K..... (on balance of accounts).

For goods then and there bargained and sold to you by

For goods then and there sold and delivered to you by

For money then and there lent to you by and interest.

For money paid by for you at your request.

For money received by you for the use of

For work and labour then and there done by for you at your request.

For the use and hire of chattels (or beasts) then and there let to hire and delivered to you at your request by

For work and labour then and there done and materials for the same then and there provided by for you at your request.

For the use and occupation of certain land (house or apartments) of by you at your request and by the permission of then and there held and enjoyed.

For board and lodging then and there provided and supplied by for and to you at your request.

For feeding and taking care of horses (sheep or cattle) by then and there fed and taken care of for you at your request.

For warehouse room then and there found and provided by in and about the storing and keeping of goods and chattels by for you at your request.

For the carriage of goods and chattels by then and there carried for you at your request.

For the amount of a cheque drawn by you on the Bank of dated 20....., or for the amount of a bill of exchange dated 20....., now overdue, and directed by the complainant to you, and requiring you to pay to the complainant K....., months after date, which was accepted by you, but was not paid, or for the amount of your promissory note dated 20....., payable months after date, and interest.

For money due to on account stated.

For that certain of your cattle (number and description) trespassed on the land of

For tax (or money) payable under the provisions of the Act to the State (or to) (or as the case may be).

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 28.

Form 15.

COMPLAINT.

The complaint of of made 20....., before the undersigned, a Magistrate of a District Court, who says that on 20....., at (state subject matter).

.....

.....

.....

Made before me the day and year first above-mentioned, at

Magistrate.

PAPUA NEW GUINEA.

District Courts Act.

Act, Secs. 28, 35.

Form 16.

INFORMATION.

The information of of, laid 20....., before the undersigned, a Magistrate of a District Court, who (on oath) says that on 20....., at (state the offence).

.....

.....

.....

Laid/Sworn* before me the day and year first above-mentioned at

Magistrate.

**Strike out whichever is inapplicable.*

PAPUA NEW GUINEA.

District Courts Act.

Act, Secs. 41, 42, 44, 47.

Form 17.

SUMMONS TO A PERSON ON INFORMATION.

....., Informant.

....., Defendant.

To of

Whereas you have this day been charged by of, before the undersigned, a Magistrate of a District Court, that on 20....., at you (state shortly the matter of the information).

.....

.....

These are therefore to command you to appear before the District Court at, on 20....., at a.m./p.m. to answer the information, and to be further dealt with according to law.

Dated 20.....

Magistrate.

PROOF OF SERVICE (to be endorsed on summons).

I, of,, make oath and say (or affirm) that I did on 20....., at, serve the within-named defendant with the within summons by delivering a copy of it to him personally, and at the same time showing him the original summons.

Sworn (or affirmed) before me

at,

..... 20.....

Commissioner for Oaths.

PAPUA NEW GUINEA.

District Courts Act.

Act, Secs. 41, 42, 44, 47.

Form 18.

SUMMONS TO A PERSON ON COMPLAINT.

....., Complainant.

....., Defendant.

To of

Whereas a complaint has this day been made before the undersigned, a Magistrate of a District Court that you (state shortly the matter of the complaint):

.....

.....

These are therefore to command you to appear before the District Court at, on 20....., at a.m./p.m. to answer the complaint, and to be further dealt with according to law.

The complainant's address for service is, at which all notices or documents may be served.

Dated 20.....

Magistrate.

PROOF OF SERVICE (to be endorsed on summons).

I, of,, make oath and say (or affirm) that I did on 20....., at, serve the within-named defendant with the within summons by delivering a copy of it to him personally, and at the same time showing him the original summons.

Sworn (or affirmed) before me

at,

..... 20.....

Commissioner for Oaths.

PAPUA NEW GUINEA.

District Courts Act.

Act, Secs. 44, 45, 66.

Form 19.

SUMMONS TO A PERSON TO GIVE EVIDENCE.

....., Informant (or Complainant).

....., Defendant.

Date of information (or complaint) 20.....

Nature of information (or complaint) (state shortly)

To of

These are to require you to appear before the District Court at, on
20....., at a.m./p.m. to give such evidence as you know concerning the matter of the above-
mentioned information (or complaint). (Where documents are required to be produced add and also
to bring with you and produce at the time and place mentioned above for examination at the hearing
the following accounts, papers, books, or other documents, that is to say--

.....

or such of them as are in your possession or control.)

Dated 20.....

Magistrate.

PAPUA NEW GUINEA.

District Courts Act.

Act, Secs. 44, 45, 71.

Form 20.

SUMMONS TO A PERSON TO PRODUCE DOCUMENTS.

....., Informant (or Complainant).

....., Defendant.

Date of information (or complaint) 20.....

Nature of information (or complaint) (state shortly)

These are to require you to appear before the District Court at, on
20....., at a.m./p.m. and to bring with you and produce for examination at the hearing of the
above-mentioned information (or complaint) the following accounts, papers, books, or other
documents, that is to say--

.....

.....

or such of them as are in your possession or control.

Dated 20.....

Magistrate.

PAPUA NEW GUINEA.

District Courts Act.

Act, Secs. 49, 50.

Form 21.

**WARRANT IN THE FIRST INSTANCE TO APPREHEND A PERSON CHARGED
WITH AN INDICTABLE OFFENCE OR A SIMPLE OFFENCE.**

To the Officer-in-charge of Police at and to all other members of the Police Force.

Whereas an information has this day been laid on oath before the undersigned, a Magistrate of a District Court, that on 20....., at (state shortly the offence).

.....

These are therefore to command you immediately to apprehend and as soon as practicable to bring him before some Magistrate of a District Court, to be dealt with according to law.

Dated 20.....

Magistrate.

NOTE.--(For offences committed on the high seas the warrant may be the same as in ordinary cases, but describing the offence to have been committed "on the high seas out of any jurisdiction or place in Papua New Guinea, and within the jurisdiction of the Admiralty of England." For offences committed abroad for which the parties may be indicted in Papua New Guinea the warrant also may be the same as in ordinary cases, but describing the offence to have been committed "on land out of Papua New Guinea, at in the Indian (or Pacific) Ocean" or as the case may be.)

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 54.

Form 22.

ENDORSEMENT ON WARRANT WHERE BAIL IS ALLOWED.

I direct that the defendant be, on arrest, released on his/her* entering into a recognizance himself/herself* in the sum of K..... and surety/sureties* in the sum of K..... (each) for his/her* appearance before the District Court at at a.m./p.m.* on 20.....

Dated 20.....

Magistrate.

**Strike out whichever is inapplicable.*

PAPUA NEW GUINEA.

District Courts Act.

Act, Secs. 65, 94, 99.

Form 23.

DEPOSITION OF WITNESS.

The examination of of taken 20....., before the District Court at in the presence and hearing of A.B., who is charged this day before the Court that he/she (describe the offence).

.....

C.D. on oath (or affirmation) says as follows (state the deposition of the witness as nearly as possible in the words he uses; and when his deposition is complete let him sign it).

.....

.....

.....

.....

Taken and sworn (or affirmed) before the Court at, on the day and year first above-mentioned.

By the Court.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 68.

Form 24.

WARRANT FOR APPREHENSION OF A WITNESS WHO HAS NOT OBEYED A SUMMONS.

In the District Court at

To the Officer-in-charge of Police at and to all other members of the Police Force.

Whereas E.F. of was duly summoned to appear before the District Court at, on 20....., at a.m./p.m.* to testify what he/she* knew concerning a certain information/complaint* against of (or/and) to produce documents (and especially):

And whereas proof has this day been made on oath that such summons was duly served on E.F.:
And whereas E.F. neglected to appear at the time and place appointed by the summons, and no just excuse has been offered for such neglect.

These are therefore to command you immediately to apprehend E.F. and bring him/her* before the Court at, to testify what he/she* knows concerning the matter of the information/complaint* (or/and) to produce the documents mentioned above).

Dated 20.....

By the Court.

**Strike out whichever is inapplicable.*

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 69.

Form 25.

WARRANT FOR A WITNESS IN THE FIRST INSTANCE.

To the Officer-in-charge of Police at, and to all other members of the Police Force.

Whereas, on 20....., at, an information (or a complaint) was laid (or made) that A.B. (as in the summons or warrant), and it being made to appear before me on oath that E.F. of is likely to give material evidence on behalf of the prosecution (or as the case may be) in the matter, and it is probable that E.F. will not attend to give evidence without being compelled to do so.

These are therefore to command you immediately to apprehend E.F. and bring him/her before the District Court at to testify what he/she knows concerning the matter of the information (or complaint).

Dated 20.....

Magistrate.

PAPUA NEW GUINEA.

District Courts Act.

Act, Secs. 75, 89.

Form 26.

**RECOGNIZANCE FOR THE APPEARANCE OF A DEFENDANT, WHERE THE
CASE IS ADJOURNED OR NOT TO BE AT ONCE PROCEEDED WITH.**

Be it remembered that, on 20....., A.B. of and L.M. of personally came before the undersigned, a Magistrate (or Magistrates) of a District Court, and severally acknowledged themselves to owe to the State the several sums following, that is to say, A.B. the sum of K....., and L.M. the sum of K....., to be made and levied of their several goods and chattels, lands, and tenements respectively to the use of the State if A.B. fails in the condition endorsed.

Taken and acknowledged before me/us the day and year first above-mentioned at

Magistrate (or Magistrates).

Condition.

The condition of the within-written recognizance is such that if A.B. charged on the information of C.D. with (insert briefly nature of charge, such as stealing, assault, etc.) shall personally appear at on 20....., at a.m./p.m. before the District Court sitting at that place, and at every time and place to which, during the course of the proceedings against A.B., the hearing may be from time to time adjourned (further) to answer the charge made by C.D. against A.B., then the recognizance to be void, or else to stand in full force and virtue.

PAPUA NEW GUINEA.

District Courts Act.

Act, Secs. 75, 89.

Form 27.

NOTICE OF RECOGNIZANCE TO BE GIVEN TO THE DEFENDANT AND HIS SURETY.

Take notice that you, A.B. of, are bound in the sum of K....., and you, L.M. of, in the sum of K....., that you, A.B., appear personally at on 20....., at a.m./p.m. before the District Court sitting at that place, and at every time and place to which, during the course of the proceedings against you, A.B., the hearing may be from time to time adjourned, to answer further a certain charge made by C.D., the further hearing of which was adjourned to that time and place; and unless you appear accordingly, the recognizance entered into by you, A.B., and L.M. as your surety, will immediately be enforced against you and him.

Dated 20.....

Magistrate.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 87.

Form 28.

RECEIPT FOR THE PRISONER.

I certify that I have received from a member of the Police Force, the body of A.B. in good health (or as the case may be), together with a warrant of commitment under the hand of, a Magistrate of a District Court.

Dated 20.....

Officer-in-charge of the Corrective Institution at

PAPUA NEW GUINEA.

District Courts Act.

Act, Secs. 93, 125.

Form 29.

**WARRANT TO APPREHEND DEFENDANT WHERE THE SUMMONS IS
DISOBEYED.**

In the District Court at

To the Officer-in-charge of Police at and to all other members of the Police Force.

Whereas, on 20....., an information was laid that A.B. (as in the summons) and a summons was then issued to A.B. commanding him/her to appear at on 20....., at a.m./p.m. before the Court, to answer the information.

And whereas A.B. did not appear at the time and place appointed by the summons, and it has been proved on oath that the summons was duly served on A.B. a reasonable time before the time appointed in the summons for appearing to it.

And whereas oath has been made before the Court substantiating the matter of the information to its satisfaction.

These are therefore to command you immediately to apprehend A.B. and to bring him/her before the Court to answer the information, and to be further dealt with according to law.

Dated 20.....

By the Court.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 96.

Form 30.

STATEMENT OF DEFENDANT.

..... of stands charged before the District Court at, for that on 20....., he/she (as in the caption of the depositions).

And the charge having been read to the defendant and its nature explained in ordinary language, and the witnesses for the prosecution having been severally examined in his/her presence, the defendant is now addressed by the Court as follows: "Having heard the evidence for the prosecution do you wish to be sworn and give evidence on your own behalf, or do you desire to say anything in answer to the charge? You are not obliged to be sworn and give evidence, nor are you required to say anything, unless you desire to do so; but whatever evidence you may give on oath, or anything you may say, will be taken down in writing, and may be given in evidence on your trial. You are clearly to understand that you have nothing to hope from any promise of favour, and nothing to fear from any threat, which may have been held out to you to induce you to make any admission or confession of your guilt; but whatever you now say may be given in evidence on your trial, notwithstanding any such promise or threat."

Whereupon the defendant said: (state whatever the defendant may say, and in his very words as nearly as possible; get him to sign it if he will.)

.....
.....
.....

Dated 20.....

By the Court.

PAPUA NEW GUINEA.

District Courts Act.

Act, Secs. 100, 105, 106, 107.

Form 31.

RECOGNIZANCE OF BAIL ON COMMITTAL FOR TRIAL.

Be it remembered that, on 20....., A.B. of and L.M. of personally came before the undersigned, a Magistrate (or Magistrates) of a District Court, and severally acknowledged themselves to owe to the State the several sums following, that is to say, A.B. the sum of K....., and L.M. the sum of K....., to be made and levied of their several goods and chattels, lands, and tenements respectively to the use of the State if A.B. fails in the condition endorsed.

Taken and acknowledged before me/us the day and year first above-mentioned at

Magistrate (or Magistrates).

Condition.

The condition of the recognizance is such that if A.B., who was this day charged before the District Court at that (state charge) shall personally appear at the Criminal Sittings of the National Court to be held at on 20....., or, if a copy of a charge has been delivered to A.B., at the place and time notified in the notice endorsed on the charge, and surrender himself/herself into the custody of the officer-in-charge of the Corrective Institution there, and plead to such indictment as may be filed against him/her in respect of the charge and take his/her trial on the indictment, and not depart from the National Court without leave, then the recognizance to be void, or else to stand in full force and virtue.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 103.

Form 32.

RECOGNIZANCE OF BAIL ON COMMITTAL FOR SENTENCE.

Be it remembered that, on 20....., A.B. of and L.M. of personally came before the undersigned, a Magistrate (or Magistrates) of a District Court, and severally acknowledged themselves to owe to the State the several sums following, that is to say, A.B. the sum of K....., and L.M. the sum of K....., to be made and levied of their several goods and chattels, lands, and tenements respectively to the use of the State if A.B. fails in the condition endorsed.

Taken and acknowledged before me/us the day and year first above-mentioned at

Magistrate (or Magistrates).

Condition.

The condition of the recognizance is such that if A.B., who was this day charged before the District Court at that (state charge) shall personally appear at the Criminal Sittings of the National Court to be held at on 20....., or, if a copy of a charge has been delivered to A.B., at the place and time notified in the notice endorsed on the charge, and surrender himself/herself into the custody of the officer-in-charge of the Corrective Institution there, and appear for sentence before the National Court, and not depart from the National Court without leave, then the recognizance to be void, or else to stand in full force and virtue.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 105.

Form 33.

CERTIFICATE OF CONSENT TO BAIL ENDORSED ON THE COMMITMENT.

This is to certify that the District Court at consents to A.B. being bailed by recognizance himself/herself* in the sum of K..... and surety/sureties* in the sum of K..... (each).

Dated 20.....

By the Court.

**Strike out whichever is inapplicable.*

PAPUA NEW GUINEA.

District Courts Act.

Act, Secs. 106, 108.

Form 34.

**CERTIFICATE OF CONSENT TO BAIL WHERE NOT GIVEN AT TIME OF
COMMITTAL FOR TRIAL.**

Whereas A.B. was, on 20....., committed by the District Court at
to the Corrective Institution at charged with (name the offence shortly).

This is to certify that I/we, the Magistrate/Magistrates* constituting the Court, consent to A.B. being
bailed by recognizance, himself/herself* in the sum of K..... and surety/sureties* in the sum of
K..... (each).

Dated 20.....

Magistrate (or Magistrates).

**Strike out whichever is inapplicable.*

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 109.

Form 35.

**WARRANT OF DELIVERANCE ON BAIL BEING GIVEN FOR A PRISONER
ALREADY COMMITTED.**

To the Officer-in-charge of the Corrective Institution at

Whereas A.B., late of, has, before the undersigned, a Magistrate of a District Court, entered into his/her own recognizance and found sufficient sureties for his/her appearance before the National Court, to answer a charge that (as in the commitment) for which he/she was committed to your corrective institution.

These are therefore to command you that if A.B. is now in your custody for that cause and for no other, you immediately suffer him/her to go at large.

Dated 20.....

Magistrate.

PAPUA NEW GUINEA.

District Courts Act.

Act, Secs. 111, 112.

Form 36.

RECOGNIZANCE TO GIVE EVIDENCE.

Be it remembered that, on 20....., C.D. of personally came before the District Court at and acknowledged himself/herself to owe to the State the sum of K..... to be made and levied of his/her goods and chattels, lands, and tenements to the use of the State if C.D. fails in the condition endorsed.

Taken and acknowledged before the Court the day and year first above-mentioned at

By the Court.

Condition.

The condition of the recognizance is such that whereas A.B. was this day charged before the District Court at for that (as in the caption of the depositions). If therefore C.D. shall appear at the next Criminal Sittings of the National Court, to be held at on 20....., and there give evidence on an indictment to be then preferred against A.B. for the offence mentioned above, then the recognizance to be void, or else to stand in full force and virtue.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 112.

Form 37.

NOTICE OF RECOGNIZANCE TO BE GIVEN TO WITNESSES.

Take notice that you, C.D. of are bound in the sum of K..... to appear at the next Criminal Sittings of the National Court, to be held at on 20....., and then and there to give evidence against A.B., and unless you then appear and give evidence accordingly the recognizance entered into by you will immediately be enforced against you.

Dated 20.....

Magistrate.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 113.

Form 38.

ORDER TO DISCHARGE WITNESS.

To the Officer-in-charge of the Corrective Institution at

Whereas by a warrant dated 20....., under the hand of the District Court at reciting that on the hearing of a charge against A.B. for an offence mentioned in the warrant, E.F., having been examined as a witness, refused to enter into a recognizance to give evidence against A.B., the Court committed E.F. to your custody.

And whereas A.B. has not been committed for trial or held to bail for the offence (or the duly appointed officer has declined to lay a charge against A.B. for the offence).

These are therefore to command you to discharge E.F. out of your custody and suffer him/her to go at large as to the commitment.

Dated 20.....

Magistrate.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 114.

Form 39.

ORDER FOR DETENTION OF WITNESS FOR SAFE CUSTODY.

In the District Court at

To, a member of the Police Force (or To the Officer-in-charge of
(describe place of security)).

Whereas A.B. of was on 20....., charged before the District Court
at that (as in the summons or warrant), and E.F. of, was examined
as a witness touching the premises.

And whereas in the opinion of the Court it is desirable that E.F. should be kept in safe custody.
These are therefore to command you to detain E.F. in your custody, so to keep him/her until after
the trial of A.B. for the offence mentioned above.

Dated 20.....

By the Court.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 116.

Form 40.

**WARRANT TO CONVEY ACCUSED PERSON BEFORE A DISTRICT COURT
AT THE PLACE IN WHICH THE OFFENCE IS COMMITTED.**

In the District Court at

To the Officer-in-charge of Police at, and to all other members of the Police Force.

Whereas A.B. of, has this day been charged before the District Court at, that (as in the summons or warrant).

And whereas the Court has taken the deposition of C.D., a witness examined by the Court for this purpose, but the Court is informed that the principal witnesses to prove the offence against A.B. reside at where the offence is alleged to have been committed.

These are therefore to command you immediately to convey A.B. to and take him/her before some District Court in or near the place where the offence is alleged to have been committed, to answer further the information before the Court.

Dated 20.....

By the Court.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 151.

Form 41.

**ORDER FOR PAYMENT OF COMPENSATION AND COSTS WHERE
COMPLAINT MADE IN THE WRONG COURT.**

In the District Court at

A.B., Complainant.

C.D., Defendant.

Date of complaint: 20.....

Nature of complaint (state shortly)

Be it remembered that A.B. has now here vexatiously and oppressively brought C.D. before this Court to answer a certain complaint of A.B. there now being a place at which a District Court is held more easy of access than this place, not only from the place of abode of C.D. but also from the place where the subject-matter of the complaint arose, and now at this day it is adjudged (conclude as in ordinary cases).

.....

Dated 20.....

By the Court.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 157.

Form 42.

DEFAULT SUMMONS ON A COMPLAINT FOR A CIVIL DEBT.

In the District Court at

....., Complainant.

....., Defendant.

To of, defendant.

Whereas a complaint has this day been made to a Magistrate of a District Court (or the Clerk of the District Court at) for that you were indebted to the complainant in the sum of K....., particulars of which are annexed.

You are warned that unless you or your lawyer give notice (the form of which is attached--such notice to be filled in, dated, and signed by you or your lawyer) of your intention to defend this complaint, by leaving or causing to be left such notice at least 48 hours before a.m./p.m. on 20....., for the complainant at his address set out below (or with the complainant's lawyer at his address set out below), and also for the Clerk of the District Court at, or by posting such notice to the complainant at his address set out below (or to the complainant's lawyer at his address set out below), and also to the Clerk of the District Court at, the proper postage rate being prepaid, in time to reach the complainant (or his lawyer), and also the Clerk respectively in due course of post at least 48 hours before the hour, day, and time above-mentioned you will not be allowed on the hearing of this complaint to make any defence to the complainant's claim unless by permission of the Court, and the complainant need not attend the Court or prove his claim, and an order in his favour may be made against you by the Court.

If in manner and within the time mentioned above the notices are so left or posted, you are then required to appear on 20....., at a.m./p.m. at the District Court at, to answer to the complaint and to be further dealt with according to law.

The complainant's address for service is to which, or at which, all notices may be posted or left.

The complainant's lawyer is, whose address is, to which, or at which, all notices may be posted or left.

Dated 20.....

Magistrate (or Clerk of the District Court).

PROOF OF SERVICE (to be endorsed on default summons).

I, of, make oath and say (or affirm) that I did on 20....., at a.m./p.m. serve the within named defendant with the within default summons by delivering to him personally a true copy of it with true copies of the two notices of intention to defend attached, and at the same time showing him the original default summons with the two notices of intention to defend attached to it.

Sworn (or affirmed) before me

at

..... 20.....

Commissioner for Oaths.

Notice of intention to defend.

(To be sent to the complainant, filled in, dated and signed by the defendant or his lawyer)

In the District Court at

....., Complainant.

....., Defendant.

Take notice that I intend (or the defendant intends) to defend this complaint.

Dated 20.....

(Signature of Defendant or his Lawyer.)

To the complainant (or To Complainant's Lawyer).

Notice of intention to defend.

(To be sent to the Clerk of the District Court, filled in, dated, and signed by the defendant or his lawyer.)

In the District Court at

....., Complainant.

....., Defendant.

Take notice that I intend (or the defendant intends) to defend this complaint.

Dated 20.....

(Signature of Defendant or his Lawyer.)

To the Clerk of the District Court at

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 161.

Form 43.

**CONVICTION FOR A PENALTY, AND, IN DEFAULT OF PAYMENT,
IMPRISONMENT.**

In the District Court at

A.B., Informant.

C.D., Defendant.

Be it remembered that, on 20....., at C.D. of, is convicted before the District Court at, that C.D. (state the offence and the time and place when and where it was committed), and this Court adjudges C.D. for his/her offence to forfeit and pay the sum of K....., to be paid and applied according to law, and also to pay A.B. the sum of K..... for his/her costs, and if the amount of the several sums is not paid immediately (or as in conviction) this Court adjudges C.D. to be imprisoned in the Corrective Institution at (and there to be kept to labour) for the space of

Dated 20.....

By the Court.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 161.

Form 44.

CONVICTION WHEN THE PUNISHMENT IS IMPRISONMENT.

In the District Court at

A.B., Informant.

C.D., Defendant.

Be it remembered that, on 20....., at C.D. of is convicted before the District Court at that C.D. (state the offence and the time and place when and where it was committed) and this Court adjudges C.D. for his/her offence to be imprisoned in the Corrective Institution at (and there kept to labour) for the space of; and this Court also adjudges C.D. to pay A.B. the sum of K..... for his/her costs, and if the amount be not paid immediately (or on or before 20.....) then C.D. to be imprisoned in the corrective institution, (and there kept to labour) for the space of, to commence at and from the termination of his/her imprisonment above-mentioned, unless the amount is sooner paid.

Dated 20.....

By the Court.

PAPUA NEW GUINEA.

District Courts Act.

Act, Secs. 161, 208.

Form 45.

SUMMARY CONVICTION FOR INDICTABLE OFFENCE.

In the District Court at

Be it remembered that, on 20....., at, A.B., being charged before the District Court at, that A.B. (state the offence and the time and place when and where it was committed) and (state the grounds on which the offence is tried summarily), A.B. is therefore convicted before the Court of the offence, and A.B. is adjudged for his/her offence to be imprisoned in the Corrective Institution at (there to be kept at labour) for the term of

Dated 20.....

By the Court.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 161.

Form 46.

ORDER FOR PAYMENT OF MONEY OR COSTS.

In the District Court at

A.B., Complainant.

C.D., Defendant.

Date of complaint 20.....

Nature of complaint (state shortly)

The parties above-named having appeared (or A.B. having appeared but C.D. although duly called not having appeared by himself/herself or his/her lawyer) and it now being satisfactorily proved on oath that C.D. has been duly served with a summons for that purpose (or that an order for notice in substitution for service of a summons for that purpose has been made and complied with) which required him/her to be and appear here on this day before the Court to answer to the complaint and to be further dealt with according to law and now having heard the matter of the complaint it is adjudged that C.D. pay to A.B. the sum of K..... immediately (or on or before 20....., or as ordered) and also pay to A.B. the sum of K..... for his/her costs.

Dated 20.....

By the Court.

PAPUA NEW GUINEA.

District Courts Act.

Act, Secs. 161, 277.

Form 47.

CONVICTION FOR CONTEMPT OF COURT.

In the District Court at

Be it remembered that, on 20....., at A.B. of is convicted by the Court for that A.B. (insert wilfully interrupted the proceedings of the Court or conducted himself/herself disrespectfully to the Court during the sittings of the Court or obstructed or assaulted C.D. a person in attendance or an officer of the Court in view of the court or wilfully disobeyed an order made by the Court to go and remain outside and beyond the hearing of the Court until required to give evidence or wilfully prevaricated in giving evidence) and this Court adjudges A.B. for his/her offence to forfeit and pay the sum of K....., to be paid and applied according to law and if the sum is not paid immediately (or on or before 20.....) this Court adjudges A.B. to be imprisoned in the corrective institution at (and there kept to labour) for the space of, unless the sum is sooner paid.

Dated 20.....

By the Court.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 162.

Form 48.

ORDER OF DISMISSAL OF AN INFORMATION OR COMPLAINT.

In the District Court at

A.B., Informant (or Complainant).

C.D., Defendant.

Date of information (or complaint) 20.....

Nature of information (or complaint) (state shortly)

Be it remembered that, on 20....., the above-mentioned information/complaint* was laid/made* before the Court for that (as in the summons to the defendant): Now on this day, 20....., at both the parties having appeared in order that the information/complaint* should be heard and determined (or C.D. having appeared before the Court, but A.B., although duly called, not having appeared), whereupon the matter of the information/complaint* being duly considered it appears to this Court that the information/complaint* is not proved, the information/complaint* is dismissed and it is adjudged that A.B. pay to C.D. the sum of K..... for his/her* costs incurred by him/her* in his/her* defence.

Dated 20.....

By the Court.

**Strike out whichever is inapplicable.*

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 162.

Form 49.

CERTIFICATE OF DISMISSAL.

A.B., Informant (or Complainant).

C.D., Defendant.

This is to certify that, on 20....., an information (or complaint or claim by way of set-off) preferred by A.B. of, against C.D. of, for that (as in the summons or notice of set-off) was this day considered by the District Court at and was dismissed (with costs).

Dated 20.....

By the Court, Magistrate or Clerk of the District Court at

PAPUA NEW GUINEA.

District Courts Act.

Act, Secs. 162, 208.

Form 50.

**CERTIFICATE OF DISMISSAL ON SUMMARY HEARING OF INDICTABLE
OFFENCE.**

This is to certify that, on 20....., at, before the District Court at, that A.B. (state the offence charged, the time and place when and where it was committed), and (state the grounds on which the offence was tried summarily), the information was dismissed.

Dated 20.....

By the Court, Magistrate or Clerk of the District Court at

PAPUA NEW GUINEA.

District Courts Act.

Act, Secs. 167, 173.

Form 51.

WARRANT OF EXECUTION ON A CONVICTION FOR A PENALTY OF A CORPORATION.

To the Officer-in-charge of Police at, and to all other members of the Police Force.

Whereas A.B. (describe the corporation) was, on 20....., at, convicted before the District Court for that (as in the conviction), and it was adjudged that A.B. should for such offence forfeit and pay (as in the conviction), (and also should pay to C.D. the sum of K..... for costs).

And whereas A.B. has made default in payment.

These are therefore to command you immediately to take the goods and chattels of A.B., except the tools and implements of the defendant's trade, the whole not exceeding in value the sum of K200.00, and, if within the space of days after taking them the sum stated at the foot of this warrant together with the reasonable costs and charges of taking and keeping the goods and chattels is not paid, that then you sell the goods and chattels and pay the money arising from such sale to the Clerk of the District Court at and if no goods and chattels can be found, that you so certify to me.

Dated 20.....

Magistrate.

Amount adjudged	K
Paid	K
Remaining due	K
Cost of issuing this warrant	K
Amount to be levied	K

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 173.

Form 52.

**WARRANT OF EXECUTION ON AN ORDER FOR THE PAYMENT OF
MONEY.**

To the Officer-in-charge of Police at, and to all other members of the Police Force.

Whereas, on 20....., at on the hearing of a complaint made by C.D., of, against A.B., of, the District Court at adjudged that A.B. should pay to C.D. the sum of K..... on or before 20..... (or as the case may be), and also should pay to C.D. the sum of K..... for costs.

And whereas A.B. has made default in payment.

These are therefore to command you immediately to take the goods and chattels of A.B., except the wearing apparel and bedding of the defendant and his/her family, and the tools and implements of the defendant's trade, the whole not exceeding in value the sum of K200.00, and, if within the space of days after taking them the sum stated at the foot of this warrant together with the reasonable costs and charges of taking and keeping the goods and chattels is not paid, that then you sell the goods and chattels and pay the money arising from the sale to the Clerk of the Court; and, if no goods and chattels can be found, that you so certify to me.

Dated 20.....

Magistrate.

Amount adjudged	K
Paid	K
Remaining due	K
Cost of issuing this warrant	K
Amount to be levied	K

PAPUA NEW GUINEA.

District Courts Act.

Act, Secs. 173, 260.

Form 53.

**WARRANT OF EXECUTION FOR COSTS ON AN ORDER FOR DISMISSAL OF
AN INFORMATION OR A COMPLAINT.**

To the Officer-in-charge of Police at, and to all other members of the Police Force.

Whereas, on 20....., at, on the hearing of an information laid (or a complaint made) by C.D. of, against A.B., of, before the District Court at, the Court dismissed the information/complaint* and adjudged that C.D. should pay to A.B. the sum of K..... for costs.

And whereas C.D. has made default in payment.

These are therefore to command you immediately to take the goods and chattels of C.D., except the wearing apparel and bedding of C.D. and his/her* family, and the tools and implements of his/her* trade, the whole not exceeding in value the sum of K200.00, and, if within the space of days after taking them the sum stated at the foot of this warrant together with the reasonable costs and charges of taking and keeping the goods and chattels is not paid, that then you sell the goods and chattels and pay the money arising from the sale to the Clerk of the Court; and, if no goods and chattels can be found, that you so certify to me.

Dated 20.....

Magistrate.

**Strike out whichever is inapplicable.*

Amount adjudged	K
Paid	K
Remaining due	K
Cost of issuing this warrant	K
Amount to be levied	K

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 173.

Form 54.

RETURN TO A WARRANT OF EXECUTION.

I,, of, a member of the Police Force, certify to, a Magistrate of a District Court, that by virtue of this warrant I have made diligent search for the goods and chattels of (state name of person against whom warrant issued), and that I can find no sufficient goods or chattels of (state name of person against whom warrant issued) on which to levy the sum(s) within mentioned.

Dated 20.....

(Signature.)

NOTE.--Return to be endorsed on warrant to which it refers.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 178.

Form 55.

SUMMONS IN CASE OF ADVERSE CLAIMS TO GOODS DISTRAINED.

A.B., Complainant.

C.D., Defendant.

G.H., Applicant.

E.F., Claimant.

To A.B. of, and E.F. of

Whereas application has this day been made by G.H. to the undersigned, a Magistrate of a District Court, for that by a warrant under the hand of, a Magistrate of a District Court, dated 20....., and directed to the members of the Police Force were commanded immediately to levy execution against the goods and chattels of C.D., and that G.H., a member of the Police Force, had under the warrant seized certain goods and chattels, namely, as and for the goods and chattels of C.D., and that you, E.F., have claimed them as your property.

These are therefore to command you, E.F. and A.B. to be and appear before the District Court at on 20....., at a.m./p.m. in order that it may adjudicate on the claim and make an order on the claim according to law.

Dated 20.....

Magistrate.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 178.

Form 56.

ORDER IN CASE OF ADVERSE CLAIMS TO GOODS DISTRAINED.

In the District Court at

A.B., Complainant.

C.D., Defendant.

G.H., Applicant.

E.F., Claimant.

Be it remembered that on 20....., application was made by G.H. to a Magistrate of a District Court, for that by a warrant under the hand of, a Magistrate of a District Court, dated 20....., and directed to, the members of the Police Force were commanded immediately to levy execution against the goods and chattels of C.D., and that G.H., a member of the Police Force, had under the warrant seized certain goods and chattels, namely, as and for the goods and chattels of C.D., and that E.F. had claimed them as his property and now at this day E.F. and A.B. the party who obtained the warrant appear before the Court (if both do not appear, state the non-appearance and service of the summons) and now having heard the matter of the application, it is adjudged that (state the adjudication in one of the following forms or to the like effect):--

(a) the goods and chattels were (not) at the time of the seizure the property of E.F.;

(b) part of the goods and chattels that is (one chair, etc.) were at the time of the seizure the property of E.F. but that the residue of the goods and chattels was not his property.

And it is also adjudged that E.F. (or A.B.) do pay A.B. (or E.F.), immediately (or on or before 20.....), the sum of K..... for his costs.

Dated 20.....

By the Court.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 181.

Form 57.

**ATTACHMENT OF DEBT--SUMMONS FOR ORDER FOR ORAL
EXAMINATION.**

A.B., Complainant (or Informant).

C.D., Defendant.

Date of complaint (or information) 20.....

Nature of complaint (or information) (state shortly)

To C.D.

You are commanded to appear before the District Court (or, a Magistrate of a District Court) at on 20....., at a.m./p.m.* on the hearing of an application on the part of A.B. that you attend and be orally examined before the District Court at as to whether any and what debts are owing to you and as to any and what other property or means of satisfying the order made on the complaint/information* you may have and that you produce your books of account, papers, and documents in any way relating to the debts, property, or means before the Court at the time of the examination.

Dated 20.....

Magistrate.

**Strike out whichever is inapplicable.*

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 181.

Form 58.

ORDER FOR ORAL EXAMINATION.

In the District Court at

A.B., Complainant (or Informant).

C.D., Defendant.

Date of complaint (or information) 20.....

Nature of complaint (or information) (state shortly)

On hearing, it is ordered that C.D. attend and be orally examined before the District Court at on 20....., at a.m./p.m.* as to whether any and what debts are owing to him/her* and as to any and what other property or means of satisfying the order made on the complaint/information* he/she* may have and that C.D. produce (as ordered) before the Court at the time of the examination and that the costs of this application be K.....

Dated 20.....

By the Court.

**Strike out whichever is inapplicable.*

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 182.

Form 59.

ORDER EX PARTE FOR ATTACHMENT OF DEBT.

In the District Court at

A.B., Complainant (or Informant).

C.D., Defendant.

M.P., Garnishee.

Date of complaint (or information) 20.....

Nature of complaint (or information) (state shortly)

On hearing and on reading the affidavit of filed on
..... 20.....

It is ordered that all debts owing or accruing due from the garnishee to C.D., be attached to answer this order for the sum of K..... on which the sum of K..... remains due and unpaid:

It is further ordered that the garnishee attend before the District Court at on
..... 20....., at a.m./p.m. on an application of A.B. that the garnishee pay to A.B. the debt due from him/her to C.D. or so much of the debt as may be sufficient to satisfy this order.

And that the costs of this application be K..... (if any order for special service is made add and it is further ordered that service of this order may be made by (as directed by the Magistrate or Court)).

Dated 20.....

By the Court (or Magistrate).

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 184.

Form 60.

**ORDER FOR PAYMENT BY GARNISHEE TO PERSON OBTAINING ORDER
WHERE GARNISHEE DOES NOT DISPUTE HIS LIABILITY.**

In the District Court at

A.B., Complainant (or Informant).

C.D., Defendant.

M.P., Garnishee.

Date of complaint (or information) 20.....

Nature of complaint (or information) (state shortly)

On hearing (all the parties) and on reading the order for attachment of the debt dated
20....., it is ordered that the garnishee immediately pay A.B. the amount of the debt due from
him/her to C.D., namely K..... (or the sum of K.....), and that in default a warrant of execution
may issue for the amount hereby ordered to be paid and that costs of this application be K.....

Dated 20.....

By the Court.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 185.

Form 61.

ORDER WHERE GARNISHEE DISPUTES HIS LIABILITY AND ISSUE IS ORDERED.

In the District Court at

A.B., Complainant (or Informant).

C.D., Defendant.

M.P., Garnishee.

Date of complaint (or information) 20.....

Nature of complaint (or information) (state shortly)

On hearing (all the parties) and on reading the order for attachment of debt dated 20....., it is ordered that A.B. and M.P. proceed to the trial of an issue in the District Court at in which A.B. shall be complainant and M.P. shall be defendant; the question to be tried shall be whether M.P. was indebted to C.D. at the time the order for attachment was made on the, and if so whether he/she was so indebted to the amount of K..... and that the costs of this application follow the event of such issue:

And it is further ordered that this order may be filed in the Court at within days of the making of this order.

Dated 20.....

By the Court.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 187.

Form 62.

**ORDER WHERE THE GARNISHEE SUGGESTS THAT A THIRD PERSON
CLAIMS A LIEN OR CHARGE ON DEBT DUE FROM GARNISHEE TO
DEBTOR.**

In the District Court at

A.B., Complainant (or Informant).

C.D., Defendant.

M.P., Garnishee.

S.T., Claimant.

Date of complaint (or information) 20.....

Nature of complaint (or information) (state shortly)

On hearing A.B., C.D., and M.P., it is ordered that A.B., C.D., M.P., and S.T. attend before the District Court at on 20....., at a.m./p.m.* and state the nature and particulars of their respective claims to such debts and maintain or relinquish them and abide such order as may be made.

And it is further ordered that A.B. serve a true copy of the order in the

Dated 20.....

By the Court.

**Strike out whichever is inapplicable.*

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 192.

Form 63.

SUMMONS TO DEBTOR.

To A.B., of

Whereas the District Court at, on 20....., ordered that you should pay to C.D. the sum of K..... and costs which by the order were fixed at the sum of K..... (or the sum of K..... for costs) and the sum(s) (or K..... part of etc., as the case may be) are still wholly due and unpaid.

These are therefore to command you to appear personally before the District Court at, on 20....., at a.m./p.m. to be examined by the Court touching your estate and effects and as to the property and means you have or have had of paying and discharging the sum(s) and as to the disposal you have made of your property and as to your intention to leave the country without paying the sum(s) or to depart elsewhere within the country with intent to evade payment and as to the mode in which you incurred the liability (and as to your neglect or refusal to comply with an order for the delivery of goods detained without just cause after due notice and to pay the value of the goods to the complainant).

Dated 20.....

Clerk of the District Court at

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 192.

Form 64.

ORDER FOR COMMITMENT OF DEBTOR IN DEFAULT OF PAYMENT.

In the District Court at

To A.B. of

Whereas the Court, on 20....., ordered that A.B. should pay to C.D. the sum of K..... and costs which by the order were fixed at the sum of K..... (or the sum of K..... for costs) and the sum(s) (or K..... part of etc., as the case may be) are still wholly due and unpaid, and it has been proved against you that having been duly summoned, (or summoned and examined) (set out the specific offence found, e.g., it has been proved to the satisfaction of the Court that you contracted the liability under false pretences or by means of fraud or breach of trust or it has been proved to the satisfaction of the Court that you have or have had since the date of the order against you sufficient means and ability to pay the sum in respect of which you have made default and have refused or neglected (or refuse or neglect) to pay it or it has been proved to the satisfaction of the Court that you have neglected or refused to comply with an order for the delivery of goods detained without just cause after due notice and have not paid the value of the goods to the complainant).

It is adjudged that unless you pay into the Court immediately (or within days or by the following instalments on the following days that is to say: (set out date and sums) the sum together with the sum of K..... for costs of the summons (or summons and examination) you be committed to a corrective institution for the term of (or until you have paid or satisfied the order and the sum ordered to be paid for costs, or until you are otherwise discharged by due course of law).

Dated 20.....

By the Court.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 193.

Form 65.

ORDER TO APPREHEND DEBTOR.

In the District Court at

To, a member of the Police Force.

Whereas the Court, on 20....., ordered that A.B. should pay to C.D. the sum of K..... and costs which by the order were fixed at the sum of K..... (or the sum of K..... for costs) and the sum(s) (or K..... part of etc., as the case may be) are still wholly due or unpaid, and evidence has been given to the Court that (set out the specific offence, e.g., A.B. contracted the liability under false pretences or by means of fraud or breach of trust or A.B., has or has had since the date of the order against him, sufficient means and ability to pay the sum in respect of which he has made default and has refused or neglected (or refuses or neglects) to pay it or A.B. has refused or neglected to comply with an order for the delivery of goods detained without just cause after due notice and has not paid the value of the goods to the complainant).

These are therefore to command you to apprehend A.B. and to bring him before the Court immediately to be further dealt with according to law.

Dated 20.....

By the Court.

PAPUA NEW GUINEA.

District Courts Act.

Act, Secs. 209, 210.

Form 66.

**INFORMATION TO REQUIRE SURETY OF THE PEACE OR FOR GOOD
BEHAVIOUR.**

The information of C.D., of, laid on 20....., before the undersigned, a Magistrate of a District Court, who says that A.B. of on 20....., at declared and threatened (state the defendant's threats), and that C.D. is therefore afraid that A.B. will do him/her* (or) some bodily injury (or commit a breach of the peace towards him/her* (or) or burn (or injure) his/her* house or procure some bodily injury to be done to him/her* (or as the case may be) (or that A.B. is a person of evil fame and character, making his/her* living by dishonest means or as the case may be); and C.D. therefore prays that A.B. may be required to find sureties to keep the peace towards him/her* (or) (or to be of good behaviour).

And C.D. says that he/she* does not lay this information from any malice or ill-will (in case of surety of the peace add but merely for the preservation of his/her* life and person (and property) (or the life and person of) from injury).

Laid/Sworn* before me the day and year first above-mentioned, at

Magistrate.

**Strike out whichever is inapplicable.*

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 212.

Form 67.

**WARRANT TO APPREHEND A PERSON REQUIRED TO GIVE SURETY OF
THE PEACE OR FOR GOOD BEHAVIOUR.**

In the District Court at

To the Officer-in-charge of Police at, and to all other members of the Police Force.

Whereas, on 20....., an information was laid that A.B. (as in the summons), and a summons was then issued to A.B. commanding him/her to appear at on 20....., at a.m./p.m. before the Court, to answer the information.

And whereas A.B. did not appear at the time and place appointed by the summons, and it has been proved on oath that the summons was duly served on A.B. a reasonable time before the time therein appointed for appearing to it.

And whereas oath has been made before the Court substantiating the matter of the information to its satisfaction.

These are therefore to command you immediately to apprehend A.B. and to bring him/her before the Court to answer the information and to find sufficient sureties to keep the peace, and especially towards C.D., (or to be of good behaviour) for such term as shall be directed.

Dated 20.....

Magistrate.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 214.

Form 68.

RECOGNIZANCE OF THE PEACE OR FOR GOOD BEHAVIOUR.

Be it remembered that, on 20....., A.B. of and L.M. of personally came before the undersigned, a Magistrate (or Magistrates) of a District Court, and severally acknowledged themselves to owe to the State the several sums following, that is to say, A.B. the sum of K....., and L.M. the sum of K....., to be made and levied of their several goods and chattels, lands, and tenements respectively to the use of the State if A.B. fails in the condition endorsed.

Taken and acknowledged before me/us the day and year first above-mentioned at

Magistrate (or Magistrates).

Condition.

The condition of the recognizance is such that, if A.B. shall keep the peace, and especially towards C.D., of (or be of good behaviour) for the term of (six months) now next ensuing, then the recognizance to be void, or else to stand in full force and virtue.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 215.

Form 69.

**NOTICE OF RECOGNIZANCE OF THE PEACE OR FOR GOOD BEHAVIOUR
TO BE GIVEN TO THE DEFENDANT AND HIS SURETIES.**

Take notice that you, A.B. of are bound in the sum of K....., and you, L.M., and N.O., in the sum of K....., that you, A.B., keep the peace, and especially towards C.D., of (or be of good behaviour) for the term of from 20....., and unless you so keep the peace (or as the case may be) accordingly, the recognizance entered into by you, A.B., and L.M. and N.O., as your sureties, will immediately be enforced against you and them.

Dated 20.....

Magistrate.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 216.

Form 70.

**WARRANT TO DISCHARGE A PERSON COMMITTED FOR WANT OF
SURETIES OF THE PEACE OR FOR GOOD BEHAVIOUR.**

To the Officer-in-charge of the Corrective Institution at

Whereas A.B., late of, has, before the undersigned, a Magistrate of a District Court, entered into his/her own recognizance and found sufficient sureties to keep the peace (as in the condition of the recognizance).

These are therefore to command you that if A.B., is now in your custody for that cause and for no other, you immediately suffer him/her to go at large.

Dated 20.....

Magistrate.

PAPUA NEW GUINEA.

District Courts Act.

Act, Secs. 220, 221.

Form 71.

NOTICE OF APPEAL.

In the District Court at

A.B., Informant (or Complainant).

C.D., Defendant.

To A.B. (or C.D.) of and to E.F., the Clerk of the District Court.

I, the defendant (or informant or complainant), give notice that it is my intention to appeal against a conviction (or order or adjudication) made by the District Court, whereby the Court (set out the conviction, order, or adjudication).

.....

.....

And take notice that the grounds of such appeal are:--

1.

2.

3.

Dated 20.....

(Signature of Appellant or his Lawyer.)

PAPUA NEW GUINEA.

District Courts Act.

Act, Secs. 220, 222.

Form 72.

RECOGNIZANCE ON APPEAL.

Be it remembered that, on 20....., A.B. of and L.M. of personally came before the undersigned, a Magistrate (or Magistrates) of a District Court, and severally acknowledged themselves to owe to the State the several sums following, that is to say, A.B. the sum of K....., and L.M. the sum of K....., to be made and levied of their several goods and chattels, lands, and tenements respectively to the use of the State if A.B. fails in the condition endorsed.

Taken and acknowledged before me/us the day and year first above-mentioned at

Magistrate (or Magistrates).

Condition.

The condition of the recognizance is such that whereas on 20....., an information was laid (or a complaint made) by of against A.B. of

And whereas the information (or complaint) was heard by the District Court at on 20....., and the Court (set out conviction, order, or adjudication):

And whereas A.B. has given notice of his/her intention to appeal from the conviction (or order or adjudication) to the National Court.

If therefore A.B. shall duly prosecute without delay such appeal and abide the order of the National Court on the appeal, and pay such costs as may be awarded by the National Court, then the recognizance to be void, or else to stand in full force and virtue.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 226.

Form 73.

ENTRY OF APPEAL TO NATIONAL COURT.

To the Registrar of the National Court.

1. The name of the appellant is
2. The name of the respondent is
3. The cause or matter of the appeal is a conviction (or order or adjudication) of
4. I request that the appeal be set down for hearing before the National Court on
20.....

Dated 20.....

(Signature of Appellant or his Lawyer.)

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 237.

Form 74.

**RECOGNIZANCE TO SECURE APPEARANCE TO ABIDE JUDGEMENT OF
NATIONAL COURT ON AN APPEAL.**

Be it remembered that, on 20....., A.B. of and L.M. of personally came before the undersigned, a Magistrate (or Magistrates) of a District Court, and severally acknowledged themselves to owe to the State the several sums following, that is to say, A.B. the sum of K....., and L.M. the sum of K....., to be made and levied of their several goods and chattels, lands, and tenements respectively to the use of the State if A.B. fails in the condition endorsed.

Taken and acknowledged before me/us the day and year first above-mentioned at

Magistrate (or Magistrates).

Condition.

The condition of the recognizance is such that whereas A.B., of, instituted an appeal to the National Court against a conviction made by the District Court at on 20....., namely that

And whereas it was made to appear on oath to, a Magistrate of a District Court, that A.B., was about to leave the country: If therefore on the determination of the appeal A.B., shall appear to abide the judgment of the National Court, then the recognizance to be void, or else to stand in full force and virtue.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 272.

Form 75.

**SUMMONS TO SHOW CAUSE WHY RECOGNIZANCE SHOULD NOT BE
ENFORCED.**

To of

Whereas, by a recognizance made on 20....., A.B., (as in the recognizance):

These are therefore to command you to appear before the District Court at on
..... 20....., at a.m./p.m., to show cause why an order should not be made
adjudging the recognizance to be forfeited and for payment of the amount due under the
recognizance.

Dated 20.....

Magistrate.

PROOF OF SERVICE (to be endorsed on summons).

I, of,, make oath and say (or affirm) that I did on
..... 20....., at, serve the within-named defendant with the within
summons by delivering a copy of it to him personally, and at the same time showing him the original
summons.

Sworn (or affirmed) before me

at,

..... 20.....

Commissioner for Oaths.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 272.

Form 76.

**ORDER ADJUDGING A RECOGNIZANCE TO BE FORFEITED AND FOR
PAYMENT OF THE AMOUNT DUE UNDER THE RECOGNIZANCE.**

In the District Court at

Be it remembered that, on 20....., A.B., (and C.D., as in recognizance) (and, on 20....., it was certified that or as the case may be), and A.B. (and C.D.) was/were duly summoned to show cause why the recognizance should not be adjudged to be forfeited and for payment of the amount due under the recognizance and now at this day it is adjudged that the recognizance be forfeited and that A.B. (and C.D.) pay immediately (or on or before 20.....) the sum of K....., the amount due under the recognizance.

Dated 20.....

By the Court.

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 272.

Form 77.

**WARRANT OF EXECUTION ON AN ORDER ADJUDGING A RECOGNIZANCE
TO BE FORFEITED AND FOR PAYMENT OF THE AMOUNT DUE UNDER
THE RECOGNIZANCE.**

To the Officer-in-charge of Police at, and to all other members of the Police Force.

Whereas on 20....., the District Court at adjudged that A.B. (or C.D.) should pay immediately (or on or before 20.....) the sum of K....., the amount due under the recognizance.

And whereas A.B. has not paid the sum of K.....

These are therefore to command you immediately to take the goods and chattels of and his/her family, except the wearing apparel and bedding and the tools and implements of his/her trade, the whole not exceeding in value the sum of K200.00, and, if within the space of days after taking them the sum stated at the foot of this warrant together with the reasonable costs and charges of taking and keeping the goods and chattels is not paid, that then you sell the goods and chattels and pay the money arising from the sale to the Clerk of the Court; and, if no goods and chattels can be found, that you so certify to me.

Dated 20.....

Magistrate.

Amount adjudged	K
Paid	K
Remaining due	K
Cost of issuing this warrant	K
Amount to be levied	K

PAPUA NEW GUINEA.

District Courts Act.

Act, Sec. 278. Reg., Sec. 45(1).

Form 78.

EXCLUSION ORDER UNDER THE VAGRANCY ACT.

In the District Court at

To

Whereas the Court is not satisfied that you have--

*(a) lawful means to support; or

*(b) sufficient lawful means of support,

the Court orders that--

1. You leave the--

** (a) Province; or

** (b) District; or

** (c) town of,

within days unless before the expiration of that time you have obtained lawful employment in the area; and

2. You remain out of the--

** (a) Province; or

** (b) District; or

** (c) town of,

for a period of; and

3. (conditions, if any)

Dated 20.....

Magistrate.

**Strike out whichever is inapplicable.*

***Complete whichever is applicable.*

PAPUA NEW GUINEA.

District Courts Act.

Reg., Sec. 45(2).

Form 79.

VARIATION OF EXCLUSION ORDER UNDER THE VAGRANCY ACT.

In the District Court at

To

Whereas the Court made an exclusion order concerning you dated 20....., and having considered the recommendations of the Court sitting at, and the reasons for its recommendations.

It is hereby ordered that the exclusion order be varied as follows:--

(state variation)

subject to the following conditions:--

(conditions, if any)

Dated 20.....

Magistrate.