

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