

**PAPUA NEW GUINEA**  
*In the National Court of Justice*

O.23, r.8(1)(b)

**Form 126.**

**COMMENCEMENT OF PROCEEDINGS AND SUMMONS (Enforcement of Basic Rights on the Court's own initiative)**

[IN THE NATIONAL COURT OF JUSTICE]

HROI No. .... of 20.....

IN THE PROCEEDING OF ENFORCEMENT OF BASIC RIGHTS UNDER THE  
CONSTITUTION OF THE INDEPENDENT STATE OF PAPUA NEW GUINEA, SECTION 57

RE [here insert brief description of the proceeding]

THE NATIONAL COURT, [here insert brief reasons for the Court acting on its own initiative], under Section 57(1) of the Constitution, COMMENCES THESE PROCEEDINGS on its own initiative to enforce the rights and freedoms of [here insert the names or description of the persons whose rights or freedoms may have been infringed], those rights being:

[here insert the right(s) or freedom(s) being enforced, eg freedom from inhuman treatment and punishment under Section 36(1) of the Constitution]

AND FOR THE PURPOSES OF THESE PROCEEDINGS THE FOLLOWING PERSONS ARE UNDER SECTION 57(3) OF THE CONSTITUTION SUMMONED TO APPEAR BEFORE THE NATIONAL COURT AT ..... ON ..... AT ....., so that the National Court may inquire into this proceeding and determine whether it is necessary or appropriate to make further orders or declarations for the purposes of enforcement of Basic Rights under Section 57(3) of the Constitution:

.....

.....

AND TAKE NOTICE that failure to comply with this order may be deemed to be contempt of court and expose the person who fails to comply to the sanctions of the criminal law, including arrest, fine and/or imprisonment.

DATED THIS ..... DAY OF ..... 20.....

JUSTICE .....

A JUDGE OF THE NATIONAL COURT OF JUSTICE