

PAPUA NEW GUINEA
In the National Court of Justice

O.9, r.6

Form 31.

LIST OF DOCUMENTS

(heading as in Form 1 or Form 3)

Pursuant to notice filed (or order made) on 20....., the defendant says:

1. The defendant has in his possession, custody or power, the documents enumerated in Schedule 1.
2. The documents enumerated in Part 2 of Schedule 1 are privileged from production on the ground-
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 - (a) as to documents numbered 4 to 7 inclusive, that (state the ground);
 - (b) as to documents 8 and 9, that (state the ground).
3. The defendant has had, but does not now have, in his possession, custody or power, the document enumerated in Schedule 2.
4. (a) document 10, referred to in Schedule 2 was last in the defendant's possession, custody or power on (state when); (b) (state what has become of it); or (c) to the best of the defendant's knowledge, information and belief, (state in whose possession, custody or power it is and where it is).
5. To the best of the defendant's knowledge, information and belief neither the defendant nor his solicitor nor any other person on his behalf has now, or ever had, in his possession, custody or power, any document relating to any matter in question between the plaintiff and the defendant (to be altered according to the terms of any order made under Order 9 Rule 5), other than the documents enumerated in the said Schedules 1 and 2.

(Describe each document in the schedules as original or copy, see Order 9 Rule 31.)

SCHEDULE 1.

Part 1.

1.
2.
3.

Part 2.

4.
5.
6.
7.
8.
9.

SCHEDULE 2.

10.

(Follow the prescribed form of conclusion of documents for use by a party, Form 4.)

AFFIDAVIT

On 20....., I, (name), say on oath--

1. I am the defendant.

2. The statements of fact made in Paragraphs 1, 2, 3, 4 and 5 of the above list are true.

Sworn etc.

I certify that, according to my instructions, this list and the statements in it are correct.

The documents enumerated in Part 1 of Schedule 1 may be inspected at (address)
on 20....., between (specify time under Order 9 Rule 6).

Defendant's Solicitor