PAPUA NEW GUINEA )

IN THE FAMILY COURT )

HELD AT LAE )

**COMPLAINT NO. DC. OF 2019**

**IN THE MATTER** of an application pursuant to the *LUKAUTIM PIKININI ACT* 2015

BETWEEN:

**[COMPLAINANT FULL LEGAL NAME]**

*Complainant*

AND:

**[DEFENDANT FULL LEGAL NAME]**

*Defendant*

**SUMMONS TO A PERSON UPON COMPLAINT**

Date Filed:

**[insert your name]**

[insert our physical address]

[insert your PO address or care of]

Ph:

Fax:

Email:

#### PAPUA NEW GUINEA

*Act, Sec. 41, 42, 44, 47* ***District Court Act, 1963*** *Form 18*

#### SUMMONS TO A PERSON UPON COMPLAINT

**COMPLAINT NO. DC. FC OF 2019**

**IN THE MATTER** of an application pursuant to the *LUKAUTIM PIKININI ACT* 2015

BETWEEN:

**[COMPLAINANT FULL LEGAL NAME]**

*Complainant*

AND:

**[DEFENDANT FULL LEGAL NAME]**

*Defendant*

To:

**[DEFENDANT FULL LEGAL NAME]**

DEFENDANTS PHYSICAL AND POSTAL ADDRESS HERE

Whereas a complaint has this day been made before the undersigned, a Magistrate of a District Court that:

**STATEMENT OF CLAIM**

[In here, state briefly the claim that you would like to make] e.g. At all material times, the Complainant, [insert name of complainant], was and is an adult female of [inset address], with the capacity to sue and be sued in her own name and style.

At all material times, the Defendant, [DEFENDANT FULL LEGAL NAME], was and is an adult male of [insert defendant address] with the capacity to sue and be sued in his own name and style.

At all material times, [insert name of child] is a [gender] infant child born on the [date of birth] (hereinafter referred to as “the Child”).

At all material times the Complainant is the birth mother of the Child and the Defendant is the biological father of the child.

[State brief history of the circumstances that give rise to the claim]

Therefore the Complainant being aggrieved makes this Complaint and prays to this Court for the following Orders:-

A parenting order for SOLE CUSTODY of The Child be granted in favour of the Complainant pursuant to sections 88(1)(b) and 101(2)(a) of the *Lukautim Pikinini Act* 2015.

Pursuant to sections 105, 106 and 108 of the Lukautim Pikinini Act 2015, the Defendant pay maintenance for the child to the sum of [insert sum] to be paid by standing orders on their bank accounts with the relevant commercial banks on a fortnightly basis

Pursuant to section 7 of the Family Protection Act the Complainant be granted a protection order under section 17 of the FPA and the defendant be permanently restrained from committing acts of domestic violence against the complainant and other family members.

The Order is effective and enforceable until such time a Court of competent jurisdiction varies, suspends or terminates the order; or the said child attains the age of 18 years, or dies, whichever occurs first.

The Complainants costs of and incidental to these proceedings be bourne by the Defendant on a solicitor-client basis.

Any other orders this Honourable Court deems fit.

These are therefore to command you to appear before the Family Court at [INSERT JURISDICTION LOCATION, e.g. Port Moresby or Lae], on the …………..day of …………….2019 at …………am/pm, to answer the complaint and to be further dealt with according to law. The Complainant’s address for service is [INSERT YOUR PHYSICAL ADDRESS OR THAT OF YOUR LAWYERS OFFICE] at which all notices or documents may be served.

DATED this day of 2019

FILED this day of 2019

……….………………………………….  **Magistrate/Clerk of Court**