

RULES OF THE CENTRAL COURT FOR REGULATING THE SERVICE OF WRITS, CITATIONS, AND OTHER PROCESSES ISSUED FROM FOREIGN TRIBUNALS.⁽¹⁾

Where in any civil or commercial matter pending before a Court or Tribunal of a foreign country a letter of request from such Court or Tribunal for the service on any person in the Territory of Papua of any process or citation in such matter, accompanied by a translation thereof in the English language, and by two copies of the process or citation to be served together with two copies thereof in the English language, is transmitted to the Central Court⁽²⁾ by the Government Secretary with an intimation that it is desirable that effect should be given to such letter of request; the following procedure shall be adopted:—

- (1) Service of the process or citation shall be effected by the person whom the Judge of the Court may, from time to time, appoint for the purpose, or by the authorized agent of such person.
- (2) Such service shall be effected by delivering to the person to be served copy of the process or citation, and one copy of the translation thereof, or in such other manner as may be directed by a Judge if he is satisfied that personal service cannot be effected.
- (3) After service has been effected, the process server shall return to the Registrar of the Court the other copies of the process or citation and the translation thereof, together with an affidavit of service and particulars of his charges for effecting same.
- (4) The authority of the person before whom such affidavit is sworn, to administer an oath, and his signature, shall

(1) Particulars of these Rules are as follows:—

Ordinance under which made.	Date on which made by Chief Judicial Officer.	Date on which approved by Legislative Council.	Date on which published in Papua Govt. Gaz.	Date on which took effect.
Unspecified; <i>semble, The Courts and Laws Adopting Ordinance of 1888^(a).</i>	5.9.1912	21.9.1912	2.10.1912	2.10.1912 (Papua Govt. Gaz. of 2.10.1912)

(a) Continued in force in the Territory of Papua by Section 6(1) of the *Papua Act 1905*.

(2) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940*.

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be verified by a certificate of a Notary Public or of the Registrar.

- (5) The Registrar shall give a certificate of the amount which is properly payable for the cost of so effecting service.
- (6) The Registrar shall transmit to the Government Secretary the letter of request for service, the process or citation, of which service has been effected, and the translations thereof, together with the affidavit and certificates hereinafore mentioned, and also a certificate under the Seal of the Court in the form given in the Schedule hereto, with such variations as circumstances may require.
- (7) Upon the application of the Government Secretary the Court or a Judge may make all such orders for substituted service or otherwise as may be necessary to give effect to these rules.

SCHEDULE.

I, _____, Registrar of the Central Court of the Territory of Papua, hereby certify that the documents annexed hereto are as follows:—

- (1) The original letter of request for service of process received from the Court or Tribunal at _____ in the matter of _____ of _____ versus _____ and the translation thereof; and
- (2) The process received with such letter of request, and the translation thereof; and
- (3) The affidavit of service upon _____ the person to be served with such process, duly verified.

And I further certify that such service so proved, and the proof thereof are such, as are required by the law and practice of the Central Court of the Territory of Papua. And I further certify that the sum which is properly payable for so effecting service amounts to £ _____ :

Dated this _____ day of _____ 19 _____

(L.S.)

Registrar.