

PAPUA NEW GUINEA

**IN THE NATIONAL COURT]
OF JUSTICE AT LORENGAU]
PAPUA NEW GUINEA]**

MP 267 OF 2010



**IN THE MATTER OF
ENFORCEMENT OF
GUARANTEED RIGHTS
AND FREEDOMS
PURSUANT TO SECTIONS
57, 58 & 59**

**AND IN THE MATTER OF
CONSTITUTION SECTIONS
44, 46, 49 & 53**

**AND IN THE MATTER OF
ARBITRARY SEARCH AT
MOMOTE AIRPORT**

**AND IN THE MATTER OF
JAMES LOKES OF MOHEI
SECURITY SERVICES AT
MOMOTE, MANUS**

**AND IN THE MATTER OF
APPLICATION BY MARK JS
SEVUA**

ORDER

The Court orders that –

1. You, James Lokes shall file all relevant affidavits stating your

Authority to arbitrarily search passengers cargoes at Momote Airport without a Search Warrant or Court order.

2. **Such affidavits must be filed and served at the National Court Registry at Waigani by Friday 6 August 2010.**
3. **Until this case is finally determined, you are restrained from arbitrarily searching any passenger's cargoes without a Search Warrant, Court order or the consent of the passengers.**
4. **Until the final determination of this case, your employer shall relocate you from Momote Airport to another location of employment in Manus forthwith.**
5. **Any Manus person having been affected by the conduct of the said James Lokes in the past may file an affidavit relating to any past incident of similar conduct by the said James Lokes.**
6. **In the event that any of these orders is breached, the said James Lokes shall be arrested forthwith for contempt of court and be punished accordingly.**

ORDERED at Lorengau this 27 day of July 2010.

BY THE COURT

The seal is circular with the text 'NATIONAL COURT' at the top, 'Manus' in the center, and 'NEW GUINEA' at the bottom. A handwritten signature is written over the seal.