Form 3 Information and summons

Magistrates Court Act 1930

(see s 25 (Informations) and s 38 (Form of summons))

In the \*[Magistrates/Childrens/Industrial] Court of the Australian Capital Territory

Criminal jurisdiction No \*[CC/CH] of (*year*)

Defendant: Date of birth:

Address: Email:

 Mobile:

Information

Offence defendant committed or may have committed:
 (*date, description and legislative provisions*)

An infringement notice or an offence notice \*[was/was not] served in relation to this offence.

This information is laid by the informant under the *Magistrates Court Act 1930*, section 25.

Summons

|  |
| --- |
| First appearance: *(date and time)*ACT Law Courts Building, 4-6 Knowles Place, Canberra City |

To the defendant: you or your lawyer must appear at the stated time and place to answer to the stated information and to be further dealt with according to law.

(*If you or your lawyer do not appear, the information may be finalised or adjourned in your absence, or a warrant may be issued for your arrest.*)

This summons is issued under the *Magistrates Court Act 1930*, section 38.

\*[Informant/informant’s representative] \*[Magistrate/Registrar/Deputy Registrar]

\*[Home/business] address \*[Sworn/Affirmed/Laid] before me on (*date*)

Information fee: $............

\**omit if, or whichever is, inapplicable*

\*Affidavit of service

(Complete this affidavit if service is effected under the *Magistrates Court Act 1930*, s 41 (Service of summons))

On (*date*), I (*full name of person making affidavit*) of (*home or business address*) \*[say on oath/solemnly affirm]––

 On (*date*), I served the defendant (*defendant’s name*) with the summons by––

\*(a) giving a copy of the summons to the defendant at (*address*); or

\*(b) leaving a copy of the summons at the last-known or usual \*[home/business] address of the defendant at (*address*) with (*name*), a person who appeared to be at least 16 years old and \*[living/employed] at the address.

Note Service of a summons must be effected at least 72 hours before the time appointed in the summons for the hearing of the information (see *Magistrates Court Act 1930*, s 41 (2) (Service of summons)).

Person making affidavit \*[Justice of the Peace/Barrister/Solicitor/(*other*)]

at (*place*) of (address)

 \*[Sworn/Affirmed] before me on (date)

\*omit if, or whichever is, inapplicable

\*Affidavit of service

(Complete this affidavit if service is effected under the *Magistrates Court Act 1930*, s 116B (Service of summons for prescribed offence))

On (*date*), I (*full name of person making affidavit*) of (*home or business address*) \*[say on oath/solemnly affirm]––

 On (*date*), I served (*person’s name*) with the summons by––

\*(a) giving 2 copies of the summons to them at (*address*); or

Note Service of a summons must be effected at least 14 days before the day appointed in the summons for the hearing of the information (see *Magistrates Court Act 1930*, s 116B (3)).

\*(b) sending 2 copies of the summons by prepaid post, addressed to the person, at the person’s last-known home or business address; or

*Note* Service of a summons must be sent by post at least 21 days before the day appointed in the summons (see *Magistrates Court Act 1930*, s 116B (4)).

\*(c) leaving 2 copies of the summons at their last-known \*[home/business] address at (*address*) with (*name*), a person who appeared to be at least 16 years old and \*[living/employed] at the address.

Note Service of a summons must be effected at least 14 days before the day appointed in the summons for the hearing of the information (see *Magistrates Court Act 1930*, s 116B (3)).

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Person making affidavit \*[Justice of the Peace/Barrister/Solicitor/(other)]

at (*place*) of (address)

 \*[Sworn/Affirmed] before me on (date)

\*omit if, or whichever is, inapplicable