

Form 2.30 Notice of payment into court

Court Procedures Rules 2006

(see r 1000 (Payment into court—amount))

In the *[Supreme/Magistrates] Court of the Australian Capital Territory

No *[SC/MC] of (year)

(name)
Plaintiff

(name)
Defendant

The defendant (name)—

- (a) has *[paid into court/lodged a bond for/lodged a security for payment of] \$ (the **amount**); and
- *(b) (include for a proceeding other than a proceeding under the *Civil Law (Wrongs) Act 2002, pt 3.1 (Wrongful act or omission causing death)*) says the amount is enough to satisfy the plaintiff's claim for (state what the amount is said to satisfy); and

Filed on behalf of the defendant by:

(the defendant's address for service and telephone number (if any) or, if the defendant is represented by a solicitor and the solicitor is the agent of another solicitor, the name and place of business of the other solicitor)

- * (c) *(include if there are 2 or more causes of action included in the proceeding and an amount is paid into court in satisfaction of 1 or more of the claims for relief)* says that part of the amount, \$ *(state amount)*, is enough to satisfy the plaintiff's claim for *(state what the part is said to satisfy)* and the rest of the amount is enough to satisfy the plaintiff's claim for *(state what the rest of the amount is said to satisfy)*; and
- * (d) *(include for an action under the Civil Law (Wrongs) Act 2002, pt 3.1)* says the amount is sufficient compensation for the benefit of the people for whose benefit the proceeding under the *Civil Law (Wrongs) Act 2002, part 3.1* (Wrongful act or omission causing death) is brought, and who are entitled to compensation under the part; and
- * (e) *(include if the defendant makes a counterclaim)* says that, in making the payment, the defendant has taken into account and intends to dispose of all the claims for relief, or stated claims, for which the defendant counterclaims; and
- (f) *[admits/denies] liability.

Date:

(signature of defendant/defendant's solicitor)

(name of defendant/defendant's solicitor)

To the *[plaintiff/plaintiff's solicitor]:

**omit if, or whichever is, inapplicable*

Notice to plaintiff

If you intend to accept the amount paid into court by the defendant, you must serve a notice of acceptance on the defendant not later than 14 days after the day this notice is served on you or, if 2 or more payments into court have been made, not later than 14 days after the day notice of the last payment into court is served on you (see rule 1006 (Payment into court—acceptance by plaintiff)).

Endnotes

This republication includes amendments made under the Legislation Act, part 11.3 (Editorial changes).

© Australian Capital Territory 2006