

## Common Boundaries Act 1981—Form 4

(see s 6 (1))

In the Small Claims Court,

*(Name of applicant)*

Applicant

*(Name of respondent)*

Respondent

### Application under the *Common Boundaries Act 1981*, section 6 (1)

- 1 Application is made by *(full name)*, of *(address)*, for a determination under the *Common Boundaries Act 1981*, section 7 (3).
- 2 The respondent to this application is *(full name)* of *(address)*.
- 3 The applicant is the occupier of land situated at *(address)*, being block , section , division of .
- 4 The respondent occupies adjoining land, being block , section , division of .
- 5 It is proposed that the fence separating the respondent's land from that occupied by the applicant be repaired (*or* replaced). Particulars of the proposed repair (*or* of the fence proposed in place of the existing fence) are as follows:
  
- 6 The proposed repairs (*or* replacement) would cost \$ . It is proposed that the respondent contribute \$ .
- 7 The applicant, on , gave to the respondent a notice in writing with a view to settling the matter by agreement.
- 8\* The respondent has refused to join in any repair or replacement of the fence.
- 8\* The applicant and respondent have not been able to agree upon the following matters:

Dated

*(Signature of applicant or his or her representative)*

† The applicant is represented by *(name and address of representative)*.

\* Strike out whichever is inappropriate

† Strike out if inappropriate

## Endnotes

- 1 This form was originally in the *Common Boundaries Act 1981* (the **authorising Act**), schedule. Under amendments made by the *Legislation (Consequential Amendments) Act 2001*, the form was omitted from the authorising Act and became a form approved under section 29 of that Act (see amdts 1.773 and 1.774).
- 2 Under the *Court Procedures Act 2004* A2004-59, pt 8, this form became a form approved under that Act.
- 3 This republication includes amendments made under the Legislation Act, part 11.3 (Editorial changes).

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