

Form 3.45 Originating application—judicial review

Court Procedures Rules 2006

(see r 3556 (Judicial review—application etc))

In the Supreme Court of the Australian Capital Territory

No SC of (year) (*Court to complete*)

**(name and provision number of law under which application is made)*

(*name*)
Plaintiff

(*name*)
Defendant

Note See r 3556 (4) and (5) for who must be included as a defendant to the application.

*To: (*name of defendant*) of (*address*)

*And to: (name and address of anyone else the court directs to be served)

Take notice that the Court will hear an application by the plaintiff on a date to be set:

1. *[to review the decision of (*name of defendant*) that (*state decision sought to be reviewed*).]
2. *[to review the following conduct of (*name of defendant*):
 (*identify conduct sought to be reviewed*).]

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

3. *[to review the following conduct in which (*name of defendant*) proposes to engage:
(*identify conduct sought to be reviewed*).]
4. *[to review the failure of (*name of defendant*) to decide that (*state decision sought to be made*).]
5. *[to grant prerogative relief.]

The plaintiff claims:

1. (*state order or other relief sought*)

***Grounds of application**

*[The *[review/prerogative relief] is sought on the following grounds:

(if the grounds of the application include an allegation of fraud or bad faith—state particulars of the fraud or bad faith relied on)

(if the application is for prerogative relief and the grounds of the application include an allegation of a mistake or omission in an order or proceeding—state particulars of the mistake or omission relied on)

(if the application is for a quo warranto order in relation to a person's office—state particulars of the objection to the person's entitlement to act in the office)

Affidavits

This application is supported by the following affidavits:

1. Affidavit of (*name*) *[sworn/affirmed] on (*date*).
2. Affidavit of (*name*) *[sworn/affirmed] on (*date*).

(If you intend on the hearing to rely on any affidavits, they must be filed in the Court with the application (see r 3556 (6).)

You must serve a sealed copy of the application and a stamped copy of any supporting affidavits on each defendant at least 5 days before the return date for the first directions hearing in relation to the application (see r 62 and r 64).)

Plaintiff

(if the plaintiff is an individual)

Full name:

*[Home/Business] address:

(if the plaintiff is a corporation)

Name:

(if the corporation is a company or a registered body within the meaning of the Corporations Act 2001 (Cwlth))

*[Australian Company Number/Australian Registered Body Number]:

Type of body:

Address of *[registered office/public officer]:

*Representative capacity in which plaintiff sues:

**(if the plaintiff is represented by a solicitor)*

Solicitor's full name:

(if the solicitor practises in a firm of solicitors)

*Solicitor's firm:

Solicitor's full business address:

Solicitor's telephone no:

*Name, address and telephone no of solicitor's agent:

Address for service of documents

(set out plaintiff's address for service)

(if represented by a solicitor the following information may be given)

*Document exchange box no:

(if postal address different from address for service)

*Postal address:

*Fax:

*Email address:

Date:

(signature of plaintiff or plaintiff's solicitor)

(name of plaintiff or plaintiff's solicitor)

**omit if, or whichever is, inapplicable*

Notice to defendant

Before taking any further steps in this proceeding, you must file a notice of intention to respond in the Court.

If you do not attend the Court at the time this originating application is listed for hearing, either in person or by a lawyer—

- this application may be heard in your absence; or
- an order may be made against you.

Take notice that a directions hearing will be held as follows:

Time: *(date and time to be entered by Registrar)*

Place: Supreme Court, Knowles Place, Canberra City, ACT.