

Form 3 Interlocutory process

Court Procedures Rules 2006

(see sch 6 r 2.2 (Originating process and interlocutory process), r 15A.4 (Application for provisional relief under Model Law, art 19), r 15A.8 (Relief after recognition) and r 15A.9 (Application to modify or terminate order for recognition or other relief))

In the Supreme Court of the Australian Capital Territory

No SC of (year)

In the matter of *(full name of corporation to which the proceeding relates and, if applicable, the words ‘(in liquidation)’, ‘(receiver appointed)’, ‘(receiver and manager appointed)’, ‘(controller acting)’ or ‘(under administration)’*)

*[ABN/ACN/ARBN]:

(name) *[and others]
Applicant

(list, in a schedule, any further applicants)

(name) *[and others]
*Respondent

(list, in a schedule, any further respondents)

Filed for the applicant by:

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

A DETAILS OF APPLICATION

*[This application is made under *[section/*regulation] (*number*) of the
*[Corporations Act/ASIC Act/Cross-Border Insolvency Act/Corporations
Regulations].]

On the facts stated in the supporting affidavit(s), the applicant, (*name*), applies
for the following relief:

1

2

etc

AND

Date:

(signature of applicant/applicant's legal practitioner)

(name of applicant/applicant's legal practitioner)

This application will be heard by the Supreme Court at Knowles Place,
Canberra City at (*time*) *[am/pm] on (*date*).

B NOTICE TO RESPONDENT(S) (IF ANY)

To: *(name and address of each respondent to this interlocutory process (if any).
If applicable, also state the respondent's address for service.)*

If you or your legal practitioner do not appear before the Court at that time, the
application may be dealt with, and an order made, in your absence.

Before appearing before the Court, you must, except if you have already done
so or you are the plaintiff in this proceeding, file a notice of appearance, in the
approved form, in the Registry and serve a copy of it on the plaintiff in the
originating process.

<i>Note</i>	Unless the Court otherwise orders, a respondent that is a corporation must be represented at a hearing by a legal practitioner. It may be represented at a hearing by a director of the corporation only if the Court grants leave.
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C FILING

This interlocutory process is filed by *(name)* for the applicant.

D SERVICE

The applicant's address for service is *(address of applicant's legal practitioner or of applicant)*.

*[It is not intended to serve a copy of this interlocutory process on any person.]

OR

*[It is intended to serve a copy of this interlocutory process on each respondent and on any person listed below:]

(name of respondent and any other person on whom a copy of the interlocutory process is to be served)

(Complete the following section if the time for service has been shortened)

The time by which a copy of this interlocutory process is to be served has been shortened by order made by *(name of Judge or other Court officer)* on *(date)* to *(time and date)*.

**omit if, or whichever is, inapplicable*
