

Form 17A Arrest warrant

Court Procedures Rules 2006

(see sch 6 r 11A.1 (Arrest of person (Corporations Act, s 486B))

In the Supreme Court of the Australian Capital Territory

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]

Plaintiff

(list, in a schedule, any further plaintiffs)

(name) *[and others]

*Defendant

(list, in a schedule, any further defendants)

To: All members and special members of the Australian Federal Police and to all officers of the police force of the State or Territory in which *(name of person)* is found, and to the Sheriff of that State or Territory and all of that Sheriff’s officers.

Whereas:

**(name of company)* (the company) is being wound up *[in insolvency/ by the court]

*an application has been made for *(name of company)* (the company) to be wound up

and the court is satisfied that (*name of person*):

- *(a) is about to leave Australia in order to avoid*[paying money payable to the company/being examined about the company's affairs/complying with an order of the court, or some other obligation, under the Corporations Act, chapter 5 in connection with the winding up]
- *(b) has concealed or removed property of the company in order to prevent or delay the taking of the property into the liquidator's custody or control
- *(c) has destroyed, concealed or removed books of the company or is about to do so

This warrant therefore requires and authorises you to take (*name of person*) and to bring *[him/her] before the court at Knowles Place, Canberra City and to keep *[him/her] there pending the making of a further order by the court.

This warrant also requires and authorises you to seize any property or books of the company in the possession of (*name of person*) and to deliver them into the custody of the registrar of the court to be kept by the registrar until the court makes an order for their disposal.

Note The Corporations Act, s 489A provides that if the court issues a warrant under s 486B for a person to be arrested and brought before the court, and the person is not in prison, then the person named in the warrant may be arrested by an officer of the police force of the State or Territory in which the person is found, the Sheriff of that State or Territory or any of the Sheriff's officers, or a member or special member of the Australian Federal Police.

Date:

Registrar

**omit if, or whichever is, inapplicable*