

## Form 6.5 Service outside the jurisdiction

*Court Procedures Rules 2006*

(see r 6505 (Notice to person served outside Australia))

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

No \*[SC/MC] of (year) (court to complete)

(name)

Plaintiff

(name)

Defendant

*(Notice to defendant served outside Australia)*

To the defendant:

1. You have been served with an originating process outside Australia under the *Court Procedure Rules 2006*, rules 6500 to 6509. A copy of those rules is enclosed for your information. They show the scope of the jurisdiction of the Court in relation to claims against people who are served outside Australia.

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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)*

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2. The grounds alleged by the plaintiff to support its claim to be entitled to serve you outside of Australia are:

*(specify grounds)*

3. The Court may, on application made by you in accordance with the rules of Court, dismiss or stay the proceeding or set aside the service on you of this originating process. Without limiting the Court's powers in this regard, the Court may dismiss or stay the proceeding or set aside the service on you if satisfied that—
- (a) the service was not authorised by the rules of the Court; or
  - (b) this Court is an inappropriate forum for the trial of the proceedings; or
  - (c) the claim has insufficient prospects of success to warrant putting you to the time, expense and trouble of defending the claim.
4. Alternatively, you may file an unconditional notice of intention to respond (Form 2.8 approved under the rules of the Court) within the time required under the rules of the Court.
5. If you file an unconditional notice of intention to respond, additional procedural obligations (such as an obligation to file a defence or an affidavit) may apply to you under the rules of the Court.
6. If you do not make an application to set aside service referred to in paragraph 3 or file an unconditional notice of intention to respond, the Court may give leave to the plaintiff to proceed against you without further notice.

Date:

*(signature of plaintiff or plaintiff's solicitor)*

*(name of plaintiff or plaintiff's solicitor)*