

## 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).]

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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       \*[to review the following conduct of (*name of defendant*):  
          (*identify conduct sought to be reviewed*).]
- 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:

\*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.