

Form 6.25

Trans-Tasman proceedings— originating application for order for interim relief

Court Procedures Rules 2006

(see r 6863 (1) (Trans-Tasman proceedings—application for interim relief))

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

No *[SC/MC] of (year)

Trans-Tasman Proceedings Act 2010 (Cwlth), section 25

(name)

Plaintiff

^[and

(name)

Defendant]

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

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

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

Take notice that the Court will hear an application by (*name of party or person making application*) on (*date*) at (*time*) (or as soon after that as this application can be heard) to make the following orders:

- 1 (set out briefly the interim relief sought under the *Trans-Tasman Proceedings Act 2010* (Cwlth));
- 2 any other orders that the Court considers appropriate.

Grounds of application

The orders are sought on the grounds stated in the affidavit of (*name*)
*[sworn/affirmed] on (*date*).

(*The affidavit must state—*

- (a) *if the person has started a proceeding in a New Zealand court—*
 - (i) *that the person has started a proceeding in a New Zealand court; and*
 - (ii) *the relief sought in the New Zealand proceeding; and*
 - (iii) *the steps taken in the New Zealand proceeding; or*
- (b) *if the person intends to start a proceeding in the New Zealand court—*
 - (i) *when the intended proceeding will be started; and*
 - (ii) *the court in which the intended proceeding is to be started; and*
 - (iii) *the relief to be sought in the intended proceeding; and*
- (c) *the interim relief sought; and*
- (d) *why the interim relief should be given.)*

(*The affidavit must be filed and a stamped copy served at the defendant's address for service before the hearing date.*)

Plaintiff details

(if the plaintiff is an individual)

Full name:

*[Home/Business] address:

(if the plaintiff is a corporation)

Name:

(if the plaintiff 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 address for service of plaintiff)

(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:]

^[Defendant

Representative capacity in which defendant is sued:]

Date:

(signature of person making application/person's solicitor)

(name of person making application/person's solicitor)

**delete if, or whichever is, inapplicable*

^delete if no defendant

^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
- default judgment may be entered, or an order made, against you.