

Summons for examination

No. _____ of 20____

Federal Court of Australia
District Registry: [State]
Division: General

In the matter of [name of debtor or bankrupt estate]

[Name of Applicant(s)]

Applicant[s]

[Name of Respondent(s)]

Respondent[s]

To [name of person summoned]
of [address]

Hearing of this summons

You are required to attend before [*]the Court[*or]a Registrar[*or]a magistrate at the time, date and place shown in the Notice of Filing and Hearing attached[Note: The Court will insert the Notice of Filing and Hearing as a coversheet when this summons is accepted for filing] to be examined on oath under section [*]50[*or]81 of the *Bankruptcy Act 1966* and to give evidence in relation to the examinable affairs of [name of bankrupt or debtor].

You are also required to attend at any time, date and place to which the examination is adjourned if you have been given written notice of that time, date and place.

You are also required to bring with you the books listed on the next page and produce them at the examination.

If you do not comply with this summons, a warrant for your apprehension (arrest) may be issued under section 264B of the *Bankruptcy Act 1966*. [ADD - if summons is addressed to a person other than the bankrupt]However, a warrant will not be issued if you were not given a reasonable amount for expenses.

Filed on behalf of (name & role of party)
Prepared by (name of person/lawyer) _____
Law firm (if applicable) _____
Tel _____ Fax _____
Email _____
Address for service
(include state and postcode) _____

Books required for production

You must bring the following books with you and produce them at the examination:

[list books required]

This summons was issued on the application of [name of applicant], [specify the capacity of the applicant under subsection 81(1) of the Bankruptcy Act 1966, eg creditor, trustee].

Applicant's address for service

The Applicant's address for service is:

Place:

Email:

Notes

1. Subsection 5(1) of the *Bankruptcy Act 1966*, as relevant, defines **examinable affairs**, in relation to a person, to mean:
 - (a) the person's dealings, transactions, property and affairs; and
 - (b) the financial affairs of an associated entity of the person, in so far as they are, or appear to be, relevant to the bankrupt or to any of his or her conduct, dealings, transactions, property and affairs.
2. You may apply to have this summons discharged by filing an interim application and supporting affidavit. (see Rule 6.05)
3. The signature of a Registrar and the seal of the Court required (as appropriate) by rules 6.03(2), 6.08(2) or 6.14(2) of the *Federal Court (Bankruptcy) Rules 2016* were affixed to this document electronically – see sections 36 and 37 of the *Federal Court of Australia Act 1976* and rules 2.01 and 2.24 of the *Federal Court Rules 2011*.

[*delete if inapplicable]