

Administrator's petition

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 [legal personal representative of the deceased respondent debtor]
of [address]

Hearing of this petition

This petition has been set down for hearing by the Court 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 petition is accepted for filing.] If you or your lawyer do not attend, then the Court may deal with the petition in your absence and make an order for the administration of the estate of the deceased respondent debtor.

You must file and serve a notice of appearance (Form B4) in the Registry before attending Court or taking any other steps in the proceeding.

Opposing this petition

If you wish to oppose this petition, you must:

- (a) file a notice of appearance (Form B4);
- (b) file a notice stating grounds of opposition to the petition (Form B5) and an accompanying affidavit supporting the grounds;

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) _____

- (c) serve a copy of each document on the applicant creditor at the address for service stated below not less than 3 days before the date for the hearing of this petition stated on the attached coversheet (Notice of Filing and Hearing); and
- (d) attend at the Court on the date for the hearing.

The Petition

The applicant, [name and address of administrator], applies to the Court for an order of administration in bankruptcy of the estate of the late [name of the deceased person] who died on [date of death].

- 1. The applicant is the administrator of the deceased debtor's estate.
- 2. The affairs of the deceased debtor and of my administration of the estate are set out in the documents accompanying this petition. To the best of my belief, it is a true and complete statement.
- 3. At the time of the debtor's death, the debtor: [Select one or more as appropriate and delete the others]
 - [*]was personally present in Australia;
 - [*]was ordinarily resident in Australia;
 - [*]had a dwelling house or place of business in Australia;
 - [*]was carrying on business in Australia either personally or by an agent or manager;
 - [*]was a member of a firm or partnership carrying on business in Australia by means of partners or agent or manager.

Applicant creditor's address for service

The Applicant creditor's address for service is:

Place:

Email:

Date: [eg 19 June 20..]

Signed by [Name]
[Insert capacity eg Applicant / Lawyer for the
Applicant]

[Note If there is more than 1 administrator, this form may be appropriately amended.]

[*delete if inapplicable]