Form CP16

Federal Court (Criminal Proceedings) Rule 3.03
Federal Court of Australia Act 1976 section 23BF(6)

Application for extension of time to file indictment

No.       of 20

Federal Court of Australia

District Registry: [State]

Division: General

**Commonwealth Director of Public Prosecutions[or other as appropriate]**Prosecutor

**[Name of Accused]**Accused

The Prosecutor applies for an extension of time to file an indictment in these proceedings.

An extension of time is required because [explain why extension is required].

**Accompanying affidavit**

The grounds of the application are set out in the accompanying affidavit as required by CP Rule 3.03(2).

**Address for service**

The Prosecutor’s address for service is:

Place: [see CP Rule 1.38]

Email:

Date: [eg 19 June 20..]

|  |
| --- |
| Signed by [Name][Insert capacity eg Prosecutor / For and on behalf of the Commonwealth Director of Public Prosecutions] |

*Notes*

1. An application for an extension of time to file an indictment may be made without notice. (CP Rule 3.03(4))
2. This application must be accompanied by an affidavit stating: (a) briefly, but specifically, the facts that support the application; and (b) why the indictment cannot be filed within the time required by section 23BF of the *Federal Court of Australia Act 1976*. (CP Rule 3.03(2))