Form CP24

Federal Court (Criminal Proceedings) Rule 4.10

Federal Court of Australia Act 1976 sections 30AA and 30AD

Notice of appeal

No.       of 20

Federal Court of Australia

District Registry: [State]

Division: General

On appeal from the [\*either]Federal Court[\*OR specify other Court]

**[Name of Appellant]**Appellant

**[Name of Respondent]**Respondent

To the Respondent

The Appellant applies for the relief set out in this Notice of appeal.

**Court hearing**

The Court will hear this application, or make orders for the conduct of the appeal proceedings, 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 application is accepted for filing.] If you or your lawyer do not attend, then the Court may make orders in your absence.

If you have not already done so, you must file a notice of address for service (Form CP10) in the Registry before attending Court or taking any other steps in the appeal proceedings.

**Details of judgment or decision**

[Set out details of the judgment or decision that is the subject of the notice, including date, name of Judge and court.]

This notice relates to[Either] the whole judgment or decision[Or]the following part of the judgment or decision: [insert details of part of judgment or decision appealed]

The judgment or decision the appellant seeks instead of the original judgment or decision is: [insert details]

[Insert if applicable or delete]This appeal is brought by leave of the Court granted on [date]. A copy of the order giving leave is annexed to this notice.

**Grounds of appeal**

1. [State briefly, but specifically, the grounds relied on in support of the appeal]

[Insert if the matter is urgent or delete]**Urgency**

The Appellant wants the appeal dealt with urgently for the following reasons:

[insert reasons for urgency]

[Insert if applicable or delete]This is an appeal against a bail decision.

Is the accused in custody? [ ]  No [ ]  Yes

[Insert if applicable or delete]This is an appeal against an interim judgment or decision.

Has a trial commenced? [ ]  No [ ]  Yes
If No, has a date for trial been set? [ ]  No [ ]  Yes, [insert date]

[Insert if applicable or delete]This is an appeal under section 30AD of the *Federal Court of Australia Act 1976*. The Attorney-General consented under section 30AD(1) of the *Federal Court of Australia Act 1976* on [insert date].

**Accompanying this notice**

As required by CP Rule 4.10(4), this notice is accompanied by:

(a) the judgment or decision to which the appeal relates; and

1. the reasons, if published, for the judgment or decision.

Date: [eg 19 June 20..]

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| --- |
| Signed by [Name][Insert capacity eg For Commonwealth Director of Public Prosecutions / Appellant / Lawyer for the Appellant] |

*Notes*

1. **Service:** The party who files a notice of appeal must, within 2 days, serve a stamped copy of the notice on each party to the proceedings in which the relevant judgment or decision was made: (CP Rule 4.13(1)). See Part 7 of the CP Rules for rules about service.
2. A document to be served on a party under this rule must be served personally on the party. (CP Rule 4.13(3))