Form CP38

Federal Court (Criminal Proceedings) Rule 5.08

Federal Court of Australia Act 1976 section 58FC(3)

Notice of objection to forfeiture

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

[Change title for criminal appeal proceedings (Form CP3)]

[Select one of the following and delete the other]

[Either]I received a notice of proposed forfeiture in this proceeding on [date].

[Or]I did not receive a notice of proposed forfeiture in this proceeding. I became aware on [date] that property was at risk of being forfeited.

**Person filing the objection**

Name:

Address:

**Details of the objector’s interest**

My interest (if any) in the security provided for the Accused’s bail is: [details of the interest in the property]

**Objection**

I object under section 58FC(3) of the *Federal Court of Australia Act 1976* to forfeiture of the following property:

[describe the property]

[Select one of the following and delete the other]

[Either]I object to any part of the property being forfeited

[Or]I ask that if a forfeiture order is made, only part of the property be forfeited

**Grounds for objection**

1. [If the person considers that the Court should not make the relevant forfeiture order - state the reason or reasons why the person thinks the Court should not make the order]
2. [if the person considers that the Court should reduce the amount of security that will be forfeited - state the reason or reasons why the person thinks the amount should be reduced]

**Address for service**

My address for service is:

Place: [see CP Rule 1.38]

Email:

Date: [eg 19 June 20..]

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| --- |
| Signed by [Name]  [Capacity eg Accused / Lawyer for the Accused / Objector / Lawyer for the Objector] |