Form CP40

Federal Court (Criminal Proceedings) Rule 7.22(d)

Request for transmission to a foreign country

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 Chief Justice of the Federal Court of Australia at [insert address of relevant registry] requests the Secretary of the [\*]Attorney-General’s Department[\*/]Department of Foreign Affairs and Trade to transmit to the government of [insert name of country] the following documents:

[insert documents]

with the requests that:

(a) the documents be served on [insert name of person to be served], in accordance with the law of [insert name of country]; and

(b) evidence of service of the documents be officially certified or declared (on oath or otherwise) to this Court in the manner consistent with usage or practice of the courts in [insert name of country] in proving service of legal process.

[\*]The Chief Justice further requests that, if efforts to effect personal service of the documents prove ineffectual, the government or court of [insert name of country] be requested to certify or declare (on oath or otherwise) that fact to this Court.

[\*]The following information is provided in support of the request:

[insert any additional information that may be required by any convention applying to the service of the documents]

Date:

|  |
| --- |
| [Chief Justice OR]Signed by an officer acting with the authority of the District Registrar |

[\*Omit if inapplicable]The request should be made to:

(a) if the Attorney-General’s Department is the Central Authority for the purposes of a convention that applies to the service of the documents - the Secretary of the Attorney-General’s Department; or

(b) in any other case - the Secretary of the Department of Foreign Affairs and Trade.