Form 19

Rule 9.32

Originating application starting a representative proceeding under Part IVA of the Federal Court of Australia Act 1976

No.       of 20

Federal Court of Australia

District Registry: [State]

Division: [Division]

**[Name of First Applicant]** [if 2 or more add "and [another/others] named in the schedule"]

Applicant[s]

**[Name of First Respondent]** [if 2 or more add "and [another/others] named in the schedule"]

Respondent[s]

To the Respondent

The Applicant applies for the relief set out in this application.

The Court will hear this application, or make orders for the conduct of the proceeding, at the time and place stated below. If you or your lawyer do not attend, then the Court may make orders in your absence.

You must file a notice of address for service (Form 10) in the Registry before attending Court or taking any other steps in the proceeding.

**Time and date for hearing**: [Registry will insert time and date]

**Place**: [address of Court]

The Court ordered that the time for serving this application be abridged to [Registry will insert date, if applicable]

Date:

|  |
| --- |
| Signed by an officer acting with the authority of the District Registrar |

**Details of claim**

On the grounds stated in the accompanying [specify document(s) -see section 33H of the Federal Court of Australia Act 1976] or other document prescribed by the Rules, the Applicant claims:

1. [specify in numbered paragraphs all final relief you seek. For the contents of an application starting a representative proceeding, or a document filed in support of the application — see section 33H of the Act].
2.

**Questions common to claims of group members**

The questions of law or fact common to the claims of the group members are [see section 33H(1)(c) of the Act]:

1.
2.

[\*Delete this section if you do not claim interlocutory relief]
**Claim for interlocutory relief**

The Applicant also claims interlocutory relief.

1. [Specify in numbered paragraphs all interlocutory relief you seek.]

2.

**Representative action**

The Applicant brings this application as a representative party under Part IVA of the *Federal Court of Australia Act 1976*.

The group members to whom this proceeding relates are [identify the group members in accordance with section 33H(1)(a) of the Act].

**Applicant’s address**

The Applicant’s address for service is:

Place: [see rule 11.01]

Email:

The Applicant’s address is [if the Applicant is an individual - place of residence or business; if the Applicant is a corporation - principal place of business].

**Service on the Respondent**

[Select one of these 3 options and delete others]
[\*]It is intended to serve this application on all Respondents.

[\*or]It is intended to serve this application on the following Respondents:

[name of each Respondent on whom application is to be served]

[\*or]It is not intended to serve this application on any Respondent.

Date: [eg 19 June 20..]

|  |
| --- |
| Signed by [Name][Insert capacity: Applicant / Lawyer for the Applicant] |

[\* If more than one applicant or respondent, insert names of the second, third, fourth etc as required in this schedule. Delete schedule if not required.]

**Schedule**

No.       of 20

Federal Court of Australia

District Registry: [State]

Division: [Division]

[\*]**Applicants**

Second Applicant: [Name]

[\* etc]

[\*]**Respondents**

Second Respondent: [Name]

[\* etc]

Date:

[\*delete if inapplicable]