Form 22

Rule 9.35(1)

Application for an order relating to the procedure to be followed in a representative proceeding

No.       of 20

Federal Court of Australia

District Registry: [State]

Division: [Division]

**[Name of First Applicant]** [if 2 or more add "and another" or "and others"]

Applicant[s]

**[Name of First Respondent]** [if 2 or more add "and another" or "and others"]

Respondent[s]

To [each party who may be affected by the application]

The [role of party eg 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.

If you have not already done so, 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 orders sought**

On the grounds stated in the accompanying affidavit, the [role of party eg Applicant] applies for the following order/s under section [33K, 33W, 33X or 33ZA] of the *Federal Court of Australia Act 1976*:

1. [specify order/s sought].
2.

**Accompanying affidavit**

This application must be accompanied by an affidavit stating:

(a) the identity of the group members; and

(b) the whereabouts of the group members; and

(c) the means by which a notice is most likely to come to the attention of the group members.

**[role of party eg Applicant]’s address**

The [role of party eg Applicant]’s address for service is:

Place: [see rule 11.01]

Email:

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

**Service on the [role of party eg Respondent]**

[Select one of these 3 options and delete others]
[\*]It is intended to serve this application on all [role of party eg Respondent]s.

[\*or]It is intended to serve this application on the following [role of party eg Respondent]s:

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

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

Date: [eg 19 June 20..]

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

[\* Delete if inapplicable]