Form 31

Rule 15.02(1)

Notice of cross-claim

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]

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

Cross-claimant[s]

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

Cross-respondent[s]

To [name], the Cross-respondent

The Cross-claimant [name], the [role of party eg Respondent] in the proceeding, applies for the relief set out in this cross-claim.

The Court will hear this cross-claim, 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 |

[\*Add the following section if the cross-respondent is a new party being brought into the proceeding. If the cross-respondent is already a party, delete this section]

**Further notice to cross respondent**

You have been brought into this proceeding by this notice of cross-claim.

You may seek copies of all or any of the pleadings or documents previously filed in this proceeding by filing a notice under rule 15.09(1)(b) (Form 32).

**Details of cross-claim**

On the grounds stated in the statement of cross-claim, accompanying affidavit or other document prescribed by the Rules, the Cross-claimant claims:

1. [Specify in numbered paragraphs all final relief you seek. If you seek relief under a provision of an Act, state the Act and the provision under which the relief is claimed. If you seek an injunction or declaration, give details of the order you seek. If you seek exemplary damages, give details of the claim for exemplary damages.]
2.

[\*Delete this section if this is not a representative action]
**Representative action**

The Cross-claimant sues in a representative capacity. [Give details].

**Cross-claimant’s address**

The Cross-claimant’s address for service is: [the following address for service must be the same as in the principal proceeding]

Place: [see rule 15.02]

Email:

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

**Service on the Cross-respondent**

[Select one of these 3 options and delete others]
[\*]It is intended to serve this cross-claim on all Cross-respondents.

[\*or]It is intended to serve this cross-claim on the following Cross-respondents:

[name of each Cross-respondent on whom cross-claim is to be served]

[\*or]It is not intended to serve this cross-claim on any Cross-respondent.

Date: [eg 19 June 20..]

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

[\* If more than one applicant, respondent, cross-claimant or cross-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]

[\*]**Cross-claimants**

Second Cross-claimant: [Name]

[\* etc]

[\*]**Cross-respondents**

Second Cross-respondent: [Name]

[\* etc]

[If multiple cross-claims, insert details of ALL cross-claims in the proceeding, listing all parties, including the first-named.] [Number the cross-claims in the order that they were filed. The cross-claim filed first will be the "First Cross-claim"]

**[\*]Details of all cross-claims in the proceeding**

**First Cross-claim**

**Cross-claimants**

First Cross-claimant: [Name]

[\*]Second Cross-claimant: [Name]

[\* etc]

**Cross-respondents**

First Cross-respondent: [Name]

[\*]Second Cross-respondent: [Name]

[\* etc]

[\*]**Second Cross-claim**

**Cross-claimants**

First Cross-claimant: [Name]

[\*]Second Cross-claimant: [Name]

[\* etc]

**Cross-respondents**

First Cross-respondent: [Name]

[\*]Second Cross-respondent: [Name]

[\* etc]

[\*]**Third Cross-claim**

**Cross-claimants**

First Cross-claimant: [Name]

[\*]Second Cross-claimant: [Name]

[\* etc]

**Cross-respondents**

First Cross-respondent: [Name]

[\*]Second Cross-respondent: [Name]

[\* etc]

Date:

[\*delete if inapplicable]