Form 64

Rule 30.31

Notice of intention to adduce tendency evidence

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: [full name of each other party]

I, [full name of party giving notice], give notice, under subsection 97(1) of the *Evidence Act* *1995*, that I intend to adduce evidence of character, reputation, conduct or tendency to prove that [full name of person who it is alleged has, or had, the tendency] has, or had, a tendency to act in a particular way, or to have a particular state of mind.

**Evidence required**

[As required by regulation 6 of the Evidence Regulations, state: (a) the substance of the evidence of the kind referred to in subsection 97(1) of the Evidence Act 1995 that the party giving the notice intends to adduce; and (b) if that evidence consists of, or includes, evidence of the conduct of a person - so far as it is known: (i) the date, time, place and circumstances at or in which the conduct occurred; and (ii) the name of each person who saw, heard or otherwise perceived the conduct; and (iii) in a civil proceeding - the address of each person mentioned in subparagraph (ii).]

Note: On the application of a party in a criminal proceeding, the court may make an order, on the terms it considers appropriate, directing the notifying party to disclose the address of a person named in a notice referred to in subsection 97(1) of the *Evidence Act 1995.*

**Character, reputation, conduct or tendency**

1. [Specify the character, reputation, conduct or tendency of which evidence is to be adduced.]
2. [Specify the tendency sought to be proved by the evidence.]

Date: [eg 19 June 20..]

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| Signed by [Name]  [Insert capacity eg Respondent / Lawyer for the Respondent] |