Form 96

Rules 34.65

Originating application for order for interim relief under section 25 of the Trans-Tasman Proceedings Act

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]

[\*Delete this section if no Respondent]
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 affidavit, the Applicant applies for an order for interim relief under section 25 of the *Trans-Tasman Proceedings Act 2010*.

**Accompanying affidavit**

This application must be accompanied by an affidavit stating:

* 1. if the person has started a proceeding in a New Zealand court:

that the person has started a proceeding in a New Zealand court; and

the relief sought in the New Zealand proceeding; and

the steps taken in the New Zealand proceeding; or

* 1. if the person intends to start a proceeding in the New Zealand court:

when the intended proceeding will be started; and

the court in which the intended proceeding is to be started; and

the relief to be sought in the intended proceeding; and

* 1. the interim relief sought; and
	2. why the interim relief should be given.

[\*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.

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

The Applicant sues in a representative capacity. [Give details].

**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]