Form 103

Rule 34.92(1)

Election petition (ATSI Act)

No.       of 20

Federal Court of Australia

District Registry: [State]

Division: [Division]

In the matter of a disputed election under the *Aboriginal and Torres Strait Islander Act 2005*

**[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 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]

Date:

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

This application concerns the election for [\*either]a single member [\*or]2 or more members for [the Torres Strait Regional Authority ward concerned] held on [date or dates on which the election was held].

This notice must be accompanied by a cheque for $100 for deposit with the Chief Executive Officer and Principal Registrar as security for costs.

**Facts relied upon to invalidate election**

The Applicant relies on the following facts:

1. [Specify the facts relied on]
2.

**Orders sought**

1. [Specify the order or orders you seek]
2.

**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][ ]A candidate at the election in dispute[or]A person claiming to be qualified to vote at that election[or]An authorised officer of the Electoral Commissioner |

in the presence of:

|  |
| --- |
| Signature of witness |

[Full name, address and occupation of witness]

[\* Delete if inapplicable]