Form 107

Rule 34.107

Originating application under Native Title Act 1993
(other than main applications)

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 to the Court under the *Native Title Act 1993*:

1. [Specify in numbered paragraphs all final relief you seek. 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. The originating application need not include a claim for costs.]
2.

**Accompanying affidavit**

This application must be accompanied by an affidavit sworn or affirmed by the applicant stating the facts in support of the application.

[\*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]