Form 121

Rule 36.01(1)(a)

Notice of appeal from the Federal Circuit and Family Court of Australia

No.       of 20

Federal Court of Australia

District Registry: [State]

Division: [Division]

On appeal from the Federal Circuit and Family Court of Australia

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

**Appellant**[s]

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

Respondent[s]

To the Respondent

The Appellant appeals from the judgment as set out in this notice of appeal.

1. [\*Delete 1 and 2 if the appeal is brought under the Migration Act 1958(Cth)]The papers in the appeal will be settled and prepared in accordance with the Federal Court Rules Division 36.5.
2. [\*]The Court will 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 |

The Appellant appeals from [\*]the whole of the judgment [\*or]all of the orders [\*or if from a part of the judgment or some of the orders, state that part or the particular orders appealed from] of the Federal Circuit and Family Court of Australia given on [date] at [place].

[\*Delete if appeal not brought by leave of the Court]The appeal is brought by leave of the Court granted on [date]. A copy of the order giving leave is annexed to this notice.

**Grounds of appeal**

1. [State briefly but specifically, the grounds relied on in support of the appeal]

**Orders sought**

1. [State what judgment or orders the Appellant wants instead of the judgment or orders appealed from]

**Appellant’s address**

The Appellant’s address for service is:

Place: [see rule 11.01]

Email:

The Appellant’s address is [if the Appellant is an individual - place of residence or business; if the Appellant 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: Appellant / Lawyer for the Appellant] |

[\*Delete this section if this is not migration litigation - rule 8.04]  
**Certificate under section 486I of the Migration Act 1958**

For the purposes of section 486I of the *Migration Act 1958,* I [name of lawyer] certify that there are reasonable grounds for believing that this migration litigation (within the meaning of section 486K of that Act) has a reasonable prospect of success.

Date:

|  |
| --- |
| Signed by [Name of lawyer] |

[\* If more than one appellant, respondent, cross-appellant 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]

[\*]**Appellants**

Second Appellant: [Name]

[\* etc]

[\*]**Respondents**

Second Respondent: [Name]

[\* etc]

[\*]**Cross-appellant**

Second Cross-appellant: [Name]

[\* etc]

[\*]**Cross-respondents**

Second Cross-respondent: [Name]

[\* etc]

Date:

[\*delete if inapplicable]