Form 123

Rule 36.21(1)

Notice of cross-appeal

No.       of 20

Federal Court of Australia

District Registry: [State]

Division: [Division]

On appeal from the [\*either]Federal Court [\*or specify other court]

**[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 Appellant

The Respondent appeals from part of the judgment or the order as set out in this notice of cross-appeal.

The papers in the cross-appeal will be settled before a Registrar at the time and place to be advised.

Date:

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

The Respondent appeals from part of the judgment or the order of the [\*either]Federal Court[\*or if from another Court, specify Court] given on [date] at [place].

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

**Details of cross-appeal**

[State the part of the judgment or the order to which the cross-appeal relates]

**Grounds of cross-appeal**

1. [State briefly but specifically, the grounds relied on in support of the cross-appeal]
2.

**Orders sought**

1. [State the judgment or orders the Respondent wants instead of that appealed from]
2.
3.

**Respondent’s address**

The Respondent’s address for service is:

Place: [see rule 11.01]

Email:

The Respondent’s address is [if an individual - place of residence or business; if a corporation - principal place of business].

**Service on the Appellant**

[Select one of these 3 options and delete others]
[\*]It is intended to serve this notice of appeal on all Appellants.

[\*or]It is intended to serve this notice of appeal on the following Appellants:

[name of each Appellant on whom notice of cross-appeal is to be served]

[\*or]It is not intended to serve this notice of appeal on any Appellant.

Date: [eg 19 June 20..]

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

[\*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-appellants**

Second Cross-appellant: [Name]

[\* etc]

[\*]**Cross-respondents**

Second Cross-respondent: [Name]

[\* etc]

Date:

[\*delete if inapplicable]