* **Cross boxes where applicable**
* **Clearly print or type all answers**
* **Please prepare one Request for Leave to Issue Subpoena for each addressee**
* **Attach an extra page if you need more space for any of the details requested**

## Details of the proceeding

|  |  |
| --- | --- |
| * 1. Title of proceeding:
 |       |
|  |  |  |
| * 1. Proceeding number:
 | [No. of ]  |

## Details of person making the Request

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  |  |
| * 1. I am:
 | [ ]  | a party to the above proceeding:  |  |
|  |  |  |  |
|  | [ ]  | the Lawyer for:  |  |
|  |
| * 1. Contact details of person making the Request:
 |
|  | Name & Position *[if applicable]* |       |
|  |  |  |  |
|  | Organisation/Firm:  | *[If applicable]* |
|  |  |  |  |  |  |
|  | Telephone: |       | Mobile: |       |
|  |  |  |  |
|  | Email: |       |
|  |  |  |  |
|  | Address: |       |
|  |  |  |
|  | Signature: *[an electronic signature can be used, provided this is done by or at the direction of the person completing this Request]* |       | Date: |       |

## Request for leave (“Request”)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| * 1. (a) Is the Request urgent?
 |  | [ ]  | No | [ ]  | Yes |
| **OR** (b) Is an abridged period of service sought on the addressee (short service)? |  | [ ]  | No | [ ]  | Yes |
| If “yes” to either 3.1 (a) or (b), briefly explain the urgency and/or basis for short service being requested: |
|  |
| [eg. trial commences within the time for service] |
|  |  |  |  |  |  |
| * 1. Are the other parties to the proceeding aware of this Request?
 |  | [ ]  | No | [ ]  | Yes |
| * 1. Has the Request (or a similar request) previously been raised with or addressed by the Court?
 |  | [ ]  | No | [ ]  | Yes |
| If “yes” to 3.3 , provide details: |  |  |  |  |  |
|  |  |  |
|  |       |
|  |  |  |
| * 1. Is it intended that the subpoena will be issued for service outside Australia [ie. Outside of the jurisdiction]?
 |  | [ ]  | No | [ ]  | Yes |

If “yes” to 3.4, set out where, outside Australia the subpoena is to be served:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |

|  |  |
| --- | --- |
| * 1. Name of person to be subpoenaed (“**Addressee**”):
 |       |
| * 1. I request leave of the Court to issue a subpoena requiring the Addressee to:
 |

|  |  |
| --- | --- |
|  [ ]  | Attend at Court to give evidence (Form CP41, r 8.04(1)(a) of the *Federal Court (Criminal Proceedings) Rules*) 2016; or  |
|  [ ]  | Produce a document or thing (Form CP42, r 8.04(1)(b) of the *Federal Court (Criminal Proceedings) Rules*) 2016; or  |
|  [ ]  | Attend at Court to give evidence and produce a document or thing (Form CP43, r 8.04(1)(c) of the *Federal Court (Criminal Proceedings) Rules*) 2016, |
| I request leave for the following **reasons**:  |
| *[Concisely list the reasons in support of the Request. Include details of the relevance of the person to give evidence and/or documents to be subpoenaed and the reasonableness of the Request - see Part 3 of GPN-SUBP]**[NOTE: you may be directed by the Court to provide further information in addition to the reasons you set out below, including an affidavit to further support the Request]* |

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  |  |
| * 1. I request that the subpoena be made returnable:
 | [ ]  | Before the hearing or trial - preferred return date: |       |
|  |  |  |
| [ ]  | At the hearing or trial of the matter *[if known]* on:  |       |
|  |

|  |  |
| --- | --- |
| * 1. [ ]
 | **Attached** is the draft subpoena *(Form CP41, Form CP42 or Form CP43, r 8.04 of the Federal Court (Criminal Proceedings) Rules 2016)* |

|  |
| --- |
| ***For Court Use only*** |
| **Considered/Issued by:** |  |  |  |
|  | *(Judge)* |  | *(Signature)* |
| **Comments:** | [ ]  | Accept |
|  | [ ]  | Reject |
|  | [ ]  | Other: |
|  |  |
|  |  |
|  |  |
|  |  |
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|  |  |