

IN THE HIGH COURT OF AUSTRALIA
[CITY] REGISTRY

No. _____ of 20__

BETWEEN:

[Applicant's full name]

Applicant

and

[Respondent's full name]

10

Respondent

APPLICATION FOR REMOVAL

To: The Respondent
[respondent's address for service]

20 The applicant applies for an order under section 40 of the *Judiciary Act* 1903 removing [*the whole or part*] of the cause now pending in the [*Court in which the cause is pending*] which is proceeding number [*file number of the proceeding in the Court in which cause pending*] between [*name all parties to cause pending*].

Part I:

[*The precise order sought.*]

Part II:

[*A concise statement of the constitutional or other question.*]

Part III:

[*A brief statement of the factual background to the application.*]

Part IV:

30 [*A brief statement of the applicant's argument in support of the removal.*]

Part V:

[*Any reasons why an order for costs should not be made in favour of the respondent in the event that the application is refused.*]

[Firm name/Applicant's name]
[Address for service]

Telephone: [number]
Fax: [number]
Email: [email address]
Ref: [contact name]

Part VI:

[A list of the authorities on which the applicant relies, identifying the paragraphs at which the relevant passages appear.]

Part VII:

[The particular constitutional provisions, statutes and statutory instruments applicable to the questions the subject of the application set out verbatim. If more than one page in length, this Part should be attached as an annexure.]

Dated

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.....

*[Applicant or the legal practitioner
representing the applicant]*

To: The Respondent
[respondent's address for service]

TAKE NOTICE: Before taking any step in the proceedings you must, within
14 DAYS after service of this application, enter an appearance in the office of the
20 Registry in which the application is filed, and serve a copy on the applicant.

The Applicant is represented by:

*[Firm name, address for service, telephone and facsimile numbers and email
address]*

or

The Applicant's address for service is:

*[If the applicant is self-represented include the address for service, telephone and
facsimile numbers and email address]*