



## HIGH COURT OF AUSTRALIA

### Information on procedures for applications for removal after filing

Please note the provisions of the *High Court Rules 2004* ("the Rules") relating to removal applications, as set out below.

Rule 26.01.1(c) states that the application for removal and supporting documents must be served within seven days of filing your application. The applicant should then file an affidavit of service.

Pursuant to Rule 26.03, a respondent has 14 days from the date of service of the removal application in which to file a notice of appearance. A notice of appearance must be in Form 7 or, in the case of a submitting appearance, Form 8.

Rule 26.04 states that the respondent's response must be filed and served within 21 days of service of the application for removal. It must be in Form 18 and it cannot exceed 10 pages in length. The respondent who disputes any facts set out in the application for removal must file an affidavit setting out the facts in dispute at the time of filing the response.

The applicant may then file a reply within seven days of the response being served pursuant to Rule 26.05.1.

The Registrar will inform the application if they are required to prepare application books.

Rule 26.07.1 provides that the Court may determine the application without hearing oral argument from the parties. The Registry will keep you informed in this regard.

Please note that Rule 26.09.1(a) and (b) provides for the abandonment of an application due to delay.