



HIGH COURT OF AUSTRALIA

PRACTICE DIRECTION NO 1 OF 2022

HIGH COURT RULES 2004 APPROVED FORMS

1. Commencement

This Practice Direction takes effect in relation to documents filed on or after 1 January 2023.

2. Approved forms

The Justices of the High Court of Australia approve the forms annexed to this Practice Direction for the purposes of the *High Court Rules 2004*.

A reference in the *High Court Rules 2004* to a form by number is a reference to the form so numbered and approved by this Practice Direction.

6 December 2022

PRACTICE DIRECTION NO 1 OF 2022

HIGH COURT RULES 2004 APPROVED FORMS

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Form 1 – Notice of constitutional matter

Note: see rule 5.01.3

IN THE HIGH COURT OF AUSTRALIA
[] REGISTRY

BETWEEN:

AB
Plaintiff/Appellant/Applicant

and

CD
Defendant/Respondent

NOTICE OF A CONSTITUTIONAL MATTER

1. The *[party whose case raises the matter e.g. plaintiff, appellant, etc]* gives notice that this proceeding involves a matter arising out of the Constitution or involving its interpretation within the meaning of Section 78B of the *Judiciary Act 1903*.
2. *[State the nature of the matter e.g. the constitutional issue which is said to arise.]*
3. *[State the facts showing the matter is one to which Section 78B of the Judiciary Act 1903 applies.]*

Dated *[e.g. 6 October 2022]*

.....(signed).....
[Party or Legal Practitioner]

To: The other party
[Firm name or Party if self-represented]

[Attorneys-General of the Commonwealth, the States, the Australian Capital Territory and the Northern Territory]

Form 1A – Notice of intervention

Note: see rule 5.04.2

IN THE HIGH COURT OF AUSTRALIA
[] REGISTRY

BETWEEN:

AB
Plaintiff/Appellant/Applicant

and

CD
Defendant/Respondent

NOTICE OF INTERVENTION

1. The Attorney-General of [*the Commonwealth of Australia or the name of a State or Territory*] gives notice of the Attorney-General's intervention in this proceeding under Section 78A of the *Judiciary Act 1903*.
2. [*If applicable, state that the Attorney-General intervenes in support of the position of [specify relevant appellant/plaintiff or respondent/defendant].*]
3. The Attorney-General of [*the Commonwealth of Australia or the name of a State or Territory*] is represented by [*Firm name*].

Dated [*e.g. 6 October 2022*]

.....(signed).....
[*Attorney-General or
Legal Practitioner*]

Form 2 – Judgment

Note: see rule 8.01.1

IN THE HIGH COURT OF AUSTRALIA
[] REGISTRY

BETWEEN:

AB
Plaintiff/Appellant/Applicant

and

CD
Defendant/Respondent

JUDGMENT

JUSTICE[S]:

DATE GIVEN:

INITIATING PROCESS: *[State whether by application or appeal]*

APPEARANCES: *[Set out names of persons who appeared; state whether counsel or solicitor and whom they represented; state the non-appearance of any person entitled to appear who did not.]*

THE JUDGMENT OF THE COURT IS:

DATE AUTHENTICATED

.....
Registrar

Form 3 – Order

Note: see rule 8.01.2

IN THE HIGH COURT OF AUSTRALIA
[] REGISTRY

BETWEEN:

AB
Plaintiff/Appellant/Applicant

and

CD
Defendant/Respondent

ORDER

JUSTICE[S]:

DATE GIVEN:

INITIATING PROCESS: *[State whether by application or appeal]*

APPEARANCES: *[Set out names of persons who appeared; state whether counsel or solicitor and whom they represented; state the non-appearance of any person entitled to appear who did not.]*

THE COURT ORDERS THAT:

DATE AUTHENTICATED

.....
Registrar

Form 4 – Consent

Note: see rule 8.04.2

IN THE HIGH COURT OF AUSTRALIA
[] REGISTRY

BETWEEN:

AB
Plaintiff/Appellant/Applicant

and

CD
Defendant/Respondent

CONSENT

We consent to the making of the following order[s] in this proceeding:

Dated [*e.g. 6 October 2022*]

.....(signed).....
[*Plaintiff / Appellant / Applicant
or Legal Practitioner*]

.....(signed).....
[*Defendant / Respondent or
Legal Practitioner*]

Form 5 – Arrest warrant

Note: see rule 11.03.2

IN THE HIGH COURT OF AUSTRALIA
[] REGISTRY

BETWEEN:

AB
Plaintiff

and

CD
Defendant

ARREST WARRANT

KING CHARLES THE THIRD, by the Grace of God, King of Australia and his other
Realms and Territories, Head of the Commonwealth:

TO THE MARSHAL

Arrest [*name*] and bring that person before the Court [or a Justice] forthwith to answer a
charge of contempt. If it is not practicable to bring [*name*] before the Court forthwith
detain [*name*] in custody and, when it is practicable to bring [*name*] before the Court, do so
forthwith.

Dated [*e.g. 6 October 2022*]

.....(signed).....
[*Justice*]

Form 6 – Committal warrant

Note: see rule 11.03.3

IN THE HIGH COURT OF AUSTRALIA
[] REGISTRY

BETWEEN:

AB
Plaintiff

and

CD
Defendant

COMMITAL WARRANT

KING CHARLES THE THIRD, by the Grace of God, King of Australia and his other
Realms and Territories, Head of the Commonwealth:

TO THE MARSHAL

TAKE [*name*] to the prison at [*address of prison*] and deliver [*name*] to the Governor of
that prison.

OR

ARREST [*name*] and take [*name*] to the prison at [*address of prison*] and deliver [*name*] to
the Governor of that prison.

.....(signed).....
Justice

TO THE GOVERNOR of the prison at [*address of prison*]

RECEIVE [*name*] into your custody and keep [*name*] until the further order of the Court.

[*Name's*] committal is for contempt of Court in that [*state nature of contempt*].

Dated [e.g. 6 October 2022]

.....(signed).....
Justice

Form 7 – Notice of appearance

Note: see rules 23.01.3, 26.03, 31.01.1, 41.04 and 42.06.2.

IN THE HIGH COURT OF AUSTRALIA
[] REGISTRY

BETWEEN:

AB
Plaintiff/Appellant/Petitioner/Applicant

and

CD
Defendant/Respondent

NOTICE OF APPEARANCE

The [*defendant / respondent*] [CD] appears.

[CD] is represented by [*Firm name*].

Or

[CD] is self-represented.

Dated [*e.g. 6 October 2022*]

.....(signed).....
[*Defendant / Respondent or
Legal Practitioner*]

Form 8 – Submitting appearance

Note: see rules 23.02, 26.03, 41.04 and 42.06.3.

IN THE HIGH COURT OF AUSTRALIA
[] REGISTRY

BETWEEN:

AB
Plaintiff/Appellant/Applicant

and

CD
Defendant/Respondent

SUBMITTING APPEARANCE

The [*defendant / respondent*] [CD] submits to any order the Court may make in this matter save as to costs.

[CD] is represented by [*Firm name*].

Or

[CD] is self represented.

Dated [*e.g. 6 October 2022*]

.....(signed).....
[*Defendant / Respondent or
Legal Practitioner*]

Form 9 – Conditional appearance

Note: see rule 23.03.2.

IN THE HIGH COURT OF AUSTRALIA
[] REGISTRY

BETWEEN:

AB
Plaintiff/Appellant/Applicant

and

CD
Defendant/Respondent

CONDITIONAL APPEARANCE

The [*defendant / respondent*] [CD] enters a conditional appearance in this matter.

[CD] is represented by [*Firm name*].

Or

[CD] is self-represented.

Dated [*e.g. 6 October 2022*]

.....(signed).....
[*Defendant / Respondent or
Legal Practitioner*]

Form 10 – Subpoena to give evidence

Note: see rule 24.02.2.

IN THE HIGH COURT OF AUSTRALIA
[] REGISTRY

BETWEEN:

AB
Plaintiff

and

CD
Defendant

SUBPOENA TO GIVE EVIDENCE

KING CHARLES THE THIRD, by the Grace of God, King of Australia and his other
Realms and Territories, Head of the Commonwealth:

TO

OF [address]

YOU ARE SUMMONED to attend and produce this subpoena before the Court [or a
Justice] at [address of the Court] on [date] at [time] or, if notice of a later day is given to
you by the party who requested the issue of the subpoena, or by the solicitor for that party,
on that later day, and until you are excused from further attending.

Dated [e.g. 6 October 2022]

.....(signed).....
Registrar

This subpoena was issued at the request of [name of party], who is represented by [Firm
name] OR who is self-represented.

Form 11 – Subpoena to give evidence and produce documents

Note: see rule 24.02.3.

IN THE HIGH COURT OF AUSTRALIA
[] REGISTRY

BETWEEN:

AB
Plaintiff

and

CD
Defendant

SUBPOENA TO GIVE EVIDENCE AND PRODUCE DOCUMENTS

KING CHARLES THE THIRD, by the Grace of God, King of Australia and his other
Realms and Territories, Head of the Commonwealth:

TO

OF [*address*]

YOU ARE SUMMONED to attend and produce this subpoena and the other documents
and things specified in the Schedule before the Court [or a Justice] at [*address of the
Court*] on [*date*] at [*time*] or, if notice of a later day is given to you by the party who
requested the issue of the subpoena, or by the solicitor for that party, on that later day, and
until you are excused from further attending.

Schedule

[*Description of documents and things to be produced*]

Dated [*e.g. 6 October 2022*]

.....(signed).....
Registrar

This subpoena was issued at the request of [*name of party*], who is represented by [*Firm
name*] OR who is self-represented.

Form 12 – Application for a constitutional or other writ

Note: see rule 25.01.1.

IN THE HIGH COURT OF AUSTRALIA

[] REGISTRY

BETWEEN:

AB
Plaintiff

and

CD
Defendant

APPLICATION FOR A CONSTITUTIONAL OR OTHER WRIT

The plaintiff applies for the relief set out in Part I below on the grounds set out in Part II below

Part I: *[The precise orders sought, including any extension of time sought.]*

Part II: *[A concise statement of the grounds of the application.]*

Part III: *[Reasons why the application should not be remitted to another court or, if the plaintiff submits that it should be remitted, identify the court to which it should be remitted.]*

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

Part V: *[A brief statement of the plaintiff's argument in support of the application.]*

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

Part VII: *[A list of authorities on which the plaintiff relies, identifying the paragraphs at which the relevant passages appear.]*

Part VIII: *[The particular constitutional provisions, statutes and statutory provisions 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 [e.g. 6 October 2022]

.....(signed).....
[Plaintiff or Legal Practitioner]

To: The Defendant
[Firm name (if known) or Defendant is self-represented]

TAKE NOTICE: Before taking any step in the proceeding you must, within **14 DAYS** from service of this application enter an appearance and serve a copy on the plaintiff.

The plaintiff is represented by [*Firm name*].

OR

The plaintiff is self-represented.

Form 12A – Response to application for a constitutional or other writ

Note: see rule 25.07.2.

IN THE HIGH COURT OF AUSTRALIA

[] REGISTRY

BETWEEN:

AB
Plaintiff

and

CD
Defendant

RESPONSE TO APPLICATION FOR A CONSTITUTIONAL OR OTHER WRIT

Part I: *[Reasons why the orders sought by the plaintiff should / should not be made.]*

Part II: *[Reasons why the application should / should not be remitted to another court or referred in whole or in part for hearing by the Full Court.]*

Part III: *[A brief statement of the factual issues in contention.]*

Part IV: *[A brief statement of the defendant’s argument.]*

Part V: *[Any special orders for costs sought by the defendant.]*

Part VI: *[A list of authorities on which the defendant 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 [e.g. 6 October 2022]

.....(signed).....
[Defendant or Legal Practitioner]

The respondent is represented by [Firm name].

OR

The respondent is self-represented.

Form 13 – Writ of mandamus

Note: see rule 25.13.2.

IN THE HIGH COURT OF AUSTRALIA
[] REGISTRY

BETWEEN:

AB
Plaintiff

and

CD
Defendant

WRIT OF MANDAMUS

KING CHARLES THE THIRD, by the Grace of God, King of Australia and his other
Realms and Territories, Head of the Commonwealth:

To: [*name*]
 [*address*]

THIS WRIT COMMANDS you to [*set out act to be done*].

YOU ARE REQUIRED TO make a return to this Writ by filing an affidavit on or before
[*date*] deposing to whether you have done what you are commanded to do by this Writ or
why it has not been done.

TAKE NOTICE that disobeying this Writ is a contempt of Court which may be punished
by imprisonment, fine or both.

Dated [*e.g. 6 October 2022*]

.....(signed).....
Registrar

Form 14 – Writ of prohibition

Note: see rule 25.14.

IN THE HIGH COURT OF AUSTRALIA
[] REGISTRY

BETWEEN:

AB
Plaintiff

and

CD
Defendant

WRIT OF PROHIBITION

KING CHARLES THE THIRD, by the Grace of God, King of Australia and his other
Realms and Territories, Head of the Commonwealth:

To: [*name*]
 [*address*]

THIS WRIT PROHIBITS YOU from further proceeding [*state what is prohibited*].

Dated [*e.g. 6 October 2022*]

.....(signed).....
Registrar

Form 15 – Writ of certiorari

Note: see rule 25.15.

IN THE HIGH COURT OF AUSTRALIA
[] REGISTRY

BETWEEN:

AB
Plaintiff

and

CD
Defendant

WRIT OF CERTIORARI

KING CHARLES THE THIRD, by the Grace of God, King of Australia and his other
Realms and Territories, Head of the Commonwealth:

To: [*name*]
 [*address*]

THIS WRIT REQUIRES you on or before [*date*] to send to the High Court of Australia
[*city*] Registry at [*address*] [*state the record or decision to be quashed*] together with this
Writ for that Court to deal with as it sees fit.

Dated [*e.g. 6 October 2022*]

.....(signed).....
Registrar

Form 16 – Writ of habeas corpus

Note: see rule 25.16.2.

IN THE HIGH COURT OF AUSTRALIA
[] REGISTRY

BETWEEN:

AB
Plaintiff

and

CD
Defendant

WRIT OF HABEAS CORPUS

KING CHARLES THE THIRD, by the Grace of God, King of Australia and his other Realms and Territories, Head of the Commonwealth:

To: [*name*]
 [*address*]

HAVE the plaintiff [*or name of person detained*] before Justice [*name*] at [*address of Court*] at [*time*] on [*date*] and thereafter to submit to the further order of the Court or a Justice as to the custody of that person (the *detainee*).

YOU ARE REQUIRED to make a return to this Writ by filing an affidavit deposing to the ground or grounds of detention of the detainee and serving a copy on the plaintiff on or before the time referred to above.

TAKE NOTICE that disobeying this Writ is a contempt of Court which may be punished by imprisonment, fine or both.

Dated [*e.g. 6 October 2022*]

.....(signed).....
Registrar

Form 17 – Application for removal

Note: see rule 26.01.1.

IN THE HIGH COURT OF AUSTRALIA

[] REGISTRY

BETWEEN:

AB
Applicant

and

CD
Respondent

APPLICATION FOR REMOVAL

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: [*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.*]

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 [*e.g. 6 October 2022*]

.....(signed).....
[*Applicant or Legal Practitioner*]

To: The Respondent
[*Firm name (if known) or Respondent is self-represented*]

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

The applicant is represented by [*Firm name*].

OR

The applicant is self-represented.

Form 18 – Response to application for removal

Note: see rule 26.04.2.

IN THE HIGH COURT OF AUSTRALIA

[] REGISTRY

BETWEEN:

AB
Applicant

and

CD
Respondent

RESPONSE

- Part I:** *[Reasons why an order for removal should / should not be made.]*
- Part II:** *[A brief statement of the factual issues in contention.]*
- Part III:** *[A brief statement of the respondent's argument.]*
- Part IV:** *[Any special order for costs sought by the respondent.]*
- Part V:** *[A list of the authorities on which the respondent relies, identifying the paragraphs at which the relevant passages appear.]*
- Part VI:** *[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 [e.g. 6 October 2012]

.....
[Respondent
or Legal Practitioner]

The respondent is represented by [Firm name].

OR

The respondent is self-represented.

Form 20 – Writ of summons

Note: see rule 27.01.

IN THE HIGH COURT OF AUSTRALIA
[] REGISTRY

BETWEEN:

AB
Plaintiff

and

CD
Defendant

WRIT OF SUMMONS

KING CHARLES THE THIRD, by the Grace of God, King of Australia and his other
Realms and Territories, Head of the Commonwealth:

TO THE DEFENDANT

[Defendant's name]

[Firm name (if known) or Defendant is self-represented]

TAKE NOTICE that this proceeding has been brought against you by the plaintiff for the
claim set out in this Writ.

IF YOU INTEND TO DEFEND the proceeding you must file a notice of appearance.

IF YOU ARE WILLING TO SUBMIT to any order that the Court may make, save as to
costs, you may file a submitting appearance.

THE TIME FOR FILING AN APPEARANCE is as follows:

- (a) where you are served with the application within Australia – 14 days from the date
of service;
- (b) in any other case – 42 days from the date of service.

EITHER

The nature of the claim made and the relief which the plaintiff seeks are as follows:

[state nature of claim and relief]

OR

STATEMENT OF CLAIM

[*set out statement of claim*]

Dated [*e.g. 6 October 2022*]

.....(signed).....
[*Plaintiff or Legal Practitioner*]

The plaintiff is represented by [*Firm name*].

OR

The plaintiff is self-represented.

Form 21 – Application

Note: see rule 6.06.1, 13.02.1, 21.09.4, 23.03.4, 27.06.2, 27.07.6, 32.01.2 and 57.05.2.

IN THE HIGH COURT OF AUSTRALIA
[] REGISTRY

BETWEEN:

AB
Plaintiff/Appellant/Applicant

and

CD
Defendant/Respondent

APPLICATION

To: *[identify party]*
 [Firm name or party is self-represented]

The *[party making application]* makes application for *[set out the orders being sought]*.

The *[party making the application]* relies on the affidavit of *[name of deponent]* sworn or affirmed on *[date]* filed in support of the application.

Dated *[e.g. 6 October 2022]*

.....(signed).....
*(Party making the application
or Legal Practitioner)*

Form 22 – Election Petition

Note: see rule 30.1.

IN THE HIGH COURT OF AUSTRALIA
SITTING AS THE COURT OF DISPUTED RETURNS

[] REGISTRY

BETWEEN:

AB
Petitioner

and

CD
Respondent

ELECTION PETITION

This petition concerns the election for [*details of election or return challenged*] held on [*date on which the election was held*].

RETURN OF WRIT

The writ for the election was returned on [*date*].

ENTITLEMENT TO FILE THIS PETITION

The petitioner is entitled to file this petition because [*set out the bases of entitlement*].

STATEMENT OF FACTS

[*Set out the facts relied on to invalidate the election or return, setting out those facts with sufficient particularity to identify the specific matter or matters on which the petitioner relies as justifying the grant of relief.*]

RELIEF

The petitioner asks the Court to make the following orders:

[*details of orders and relief sought*]

Dated [*e.g. 6 October 2022*]

.....(signed).....
[*Petitioner or Legal Practitioner*]

IN THE PRESENCE OF:

.....
Signed by Witness

.....
Signed by Witness

.....
Name of Witness

.....
Name of Witness

.....
Occupation of Witness

.....
Occupation of Witness

.....
Address of Witness

.....
Address of Witness

TO:

The Respondent
[Firm name or Respondent is self-represented]

The petitioner is represented by *[Firm name]*.

OR

The petitioner is self-represented.

Form 23 – Application for leave or special leave to appeal

Note: see rule 41.01.1.

IN THE HIGH COURT OF AUSTRALIA

[] REGISTRY

BETWEEN:

AB
Applicant

and

CD
Respondent

APPLICATION FOR [LEAVE OR] SPECIAL LEAVE TO APPEAL

The applicant applies for [*leave or*] special leave to appeal from [*state part or whole*] of the judgment of the [*state Court, Justice or Judge below*] given on [*state date*].

[*If applicable, include the following statement [The applicant seeks an order that compliance with the time limited by rule 41.02.1 be dispensed with.]*]

Part I: [*The proposed grounds of appeal and the orders that will be sought if leave or special leave is granted.*]

Part II: [*A concise statement of the leave or special leave questions said to arise.*]

Part III: [*A brief statement of the applicant’s argument in support of the grant of leave or special leave.*]

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

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

Part VI: [*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 [e.g. 6 October 2022]

.....
[Applicant
or Legal Practitioner]

To: The Respondent
[*Firm name (if known) or Respondent is self-represented*]

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

The applicant is represented by [*Firm name*].

OR

The applicant is self-represented.

Form 23A – Response to application for leave or special leave to appeal

Note: see rule 41.05.3.

IN THE HIGH COURT OF AUSTRALIA

[] REGISTRY

BETWEEN:

AB
Applicant

and

CD
Respondent

RESPONSE

Part I: *[Reasons why leave or special leave should / should not be granted.]*

Part II: *[A brief statement of the factual issues in contention.]*

Part III: *[A brief statement of the respondent’s argument.]*

Part IV: *[Any special order for costs sought by the respondent.]*

Part V: *[A list of the authorities on which the respondent relies, identifying the paragraphs at which the relevant passages appear.]*

Part VI: *[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 [e.g. 6 October 2022]

.....(signed).....
[Respondent or Legal Practitioner]

The respondent is represented by [Firm name].

OR

The respondent is self-represented.

Form 24 – Notice of appeal

Note: see rule 42.02.1.

IN THE HIGH COURT OF AUSTRALIA

[] REGISTRY

ON APPEAL FROM THE [*name of Court appealed from*]
[*or where applicable, from a Justice*]

BETWEEN:

AB
Appellant

and

CD
Respondent

NOTICE OF APPEAL

1. The appellant appeals [pursuant to special leave to appeal granted on [*date*]] from [*state whether whole or part and which part*] of the judgment of the [*state Court or Judge below*] given on [*date*].

Grounds

2. [*State briefly the grounds of appeal.*]

Order[s] sought

3. [*State the judgment sought in lieu of that appealed from including any special order as to costs.*]

Dated [*e.g. 6 October 2022*]

.....(signed).....
[*Appellant*
or Legal Practitioner]

TO: The Registrar
[*Court appealed from*]

AND TO: The Respondent
[*Firm name (if known) or Respondent is self-represented*]

The appellant is represented by [*Firm name*].

OR

The appellant is self-represented.

Form 25 – Notice of discontinuance

Note: see rules 26.08.1, 41.09.1 and 42.14.1.

IN THE HIGH COURT OF AUSTRALIA
[] REGISTRY

BETWEEN:

AB
Applicant / Appellant

and

CD
Respondent

NOTICE OF DISCONTINUANCE

The [*applicant / appellant*] discontinues this [*application / appeal*].

Dated [*e.g. 6 October 2022*]

.....(signed).....
[*Applicant / Appellant or
Legal Practitioner*]

To: The Respondent
 [*Firm Name or Respondent is self-represented*]

Form 26 – Notice of cross appeal

Note: see rule 42.08.2.

IN THE HIGH COURT OF AUSTRALIA

[] REGISTRY

ON APPEAL FROM THE [*name of Court appealed from*]
[*or, where applicable, from a Justice*]

BETWEEN:

AB
Appellant

and

CD
Respondent

NOTICE OF CROSS-APPEAL

1. Subject to the grant of special leave, the respondent cross-appeals from [*state whether whole or part and which part*] of the judgment of the [*state Court or Judge below*] given on [*date*].

Grounds

2. [*State briefly the grounds of cross-appeal.*]

Order[s] sought

3. [*State the judgment sought in lieu of that appealed from*]

Dated [*e.g. 6 October 2022*]

.....(signed).....
[*Respondent*
or Legal Practitioner]

AND TO: The Appellant
[*Firm name or Appellant is self-represented*]

The respondent is represented by [*Firm name*].

OR

The respondent is self-represented.

Form 27 – Notice of contention

Note: see rule 42.08.5.

IN THE HIGH COURT OF AUSTRALIA
[] REGISTRY

ON APPEAL FROM THE [*name of Court appealed from*]
[*or, where applicable, from a Justice*]

BETWEEN:

AB
Appellant

and

CD
Respondent

NOTICE OF CONTENTION

The respondent wishes to contend that the decision of the Court below should be affirmed but on the ground that the Court below erroneously decided or failed to decide some matter of fact or law.

Grounds

[*State briefly the grounds.*]

Dated [*e.g. 6 October 2022*]

.....(signed).....
[*Respondent*
or Legal Practitioner]

AND TO: The Appellant
[*Firm name or Appellant is self-represented*]

The respondent is represented by [*Firm name*].

OR

The respondent is self-represented.

Form 27A – Appellant’s submissions

Note: see rule 44.02.2.

IN THE HIGH COURT OF AUSTRALIA

[] REGISTRY

BETWEEN:

AB

Appellant

and

CD

Respondent

APPELLANT’S SUBMISSIONS

Part I: *[Certification that the submission or the redacted version of the submission (as the case requires) is in a form suitable for publication on the internet.]*

Part II: *[A concise statement of the issue or issues the appellant contends that the appeal presents.]*

Part III: *[Certification that the appellant has considered whether any notice should be given in compliance with section 78B of the Judiciary Act 1903.]*

Part IV: *[A citation of the authorised report of reasons for judgment of both the primary and intermediate court in the case (or, if there is no authorised report of a decision, the citation of any other report of that decision, and in the absence of any report, the internet citation).]*

Part V: *[A narrative statement of the relevant facts found or admitted in the court from which the proceedings are brought with appropriate reference to the core appeal book or book of further materials.]*

Part VI: *[A succinct argument addressing the following points:*

- (a) the error or errors complained of in the court from which the proceedings are brought;*
- (b) the applicable legislation, principle or rule of law relied upon, with references to authority or legislation signifying their relevance to the appellant's argument;*
- (c) where relevant, an analysis of the rationale of the legislation, principle or rule;*
- (d) how the legislation, principle or rule applies to the facts or other relevant material in the case.]*

Part VII: *[Set out the precise form of orders sought by the appellant.]*

Part VIII: *[An estimate of the number of hours required for the presentation of the appellant's oral argument.]*

Dated: *[e.g. 6 October 2022]*

.....(signed).....

*[Senior legal practitioner presenting the case
in Court, or Appellant if self-represented]*

Name: *[name of signatory]*

Telephone: *[contact telephone number]*

Email: *[email address]*

Form 27B – Appellant’s chronology

Note: see rule 44.02.3.

IN THE HIGH COURT OF AUSTRALIA

[] REGISTRY

BETWEEN:

AB
Appellant

and

CD
Respondent

APPELLANT’S CHRONOLOGY

Part I: *[Certification that the chronology or the redacted version of the chronology (as the case requires) is in a form suitable for publication on the internet.]*

Part II: *[List of principal events leading to the litigation, with appropriate references to the appeal book in respect of findings of fact and evidence relating to those events.]*

Dated [e.g. 6 October 2022]

.....(signed).....

*[Senior legal practitioner presenting the case in Court,
or Appellant if self-represented]*

Name: [name of signatory]

Telephone: [contact telephone number]

Email: [email address]

Form 27C – Intervener’s submissions

Note: see rule 44.04.4.

IN THE HIGH COURT OF AUSTRALIA

[] REGISTRY

BETWEEN:

AB
Appellant

and

CD
Respondent

INTERVENER’S SUBMISSIONS

Part I: *[Certification that the submission or the redacted version of the submission (as the case requires) is in a form suitable for publication on the internet.]*

Part II: *[A statement of the asserted basis of intervention and the party or parties in support of whom the intervention is, or is sought to be, made.]*

Part III: *[Where necessary, why leave to intervene or to be heard as amicus curiae should be granted.]*

Part IV: *[A statement addressing so many of the issues presented by the appeal as the intervener desires to make the subject of submissions to the Court.]*

Part V: *[An estimate of the number of hours required for the presentation of the intervener’s oral argument.]*

Dated [e.g. 6 October 2022]

.....(signed).....

[Senior legal practitioner
presenting the case in Court]

Name: [*name of signatory*]

Telephone: [*contact telephone number*]

Email: [*email address*]

Form 27D – Respondent’s submissions

Note: see rule 44.03.3.

IN THE HIGH COURT OF AUSTRALIA

[] REGISTRY

BETWEEN:

AB

Appellant

and

CD

Respondent

RESPONDENT’S SUBMISSIONS

Part I: [*Certification that the submission or the redacted version of the submission (as the case requires) is in a form suitable for publication on the internet.*]

Part II: [*A concise statement of the issue or issues the respondent contends that the appeal presents.*]

Part III: [*Certification that the respondent has considered whether any notice should be given in compliance with section 78B of the Judiciary Act 1903.*]

Part IV: [*A statement of any material facts set out in the appellant’s narrative of facts or chronology that are contested with appropriate reference to the core appeal book and any books of further materials.*]

Part V: [*A statement of argument in answer to the argument of the appellant and any intervener supporting the appellant.*]

Part VI: [*Where applicable, a statement of the respondent’s argument on the respondent’s notice of contention or notice of cross-appeal.*]

Part VII: *[An estimate of the number of hours required for the presentation of the respondent's oral argument.]*

Dated [e.g. 6 October 2022]

.....(signed).....

*[Senior legal practitioner presenting the case in Court,
or Respondent if unrepresented]*

Name: *[name of signatory]*

Telephone: *[contact telephone number]*

Email: *[email address]*

Form 27E – Appellant’s reply

Note: see rule 44.05.5.

IN THE HIGH COURT OF AUSTRALIA

[] REGISTRY

BETWEEN:

AB

Appellant

and

CD

Respondent

APPELLANT’S REPLY

Part I: *[Certification that the reply or the redacted version of the reply (as the case requires) is in a form suitable for publication on the internet.]*

Part II: *[A concise reply to the argument of the respondent.]*

Dated: *[e.g. 6 October 2022]*

.....(signed).....

*[Senior legal practitioner presenting the case in Court,
or Appellant if self-represented]*

Name: *[name of signatory]*

Telephone: *[contact telephone number]*

Email: *[email address]*

Form 27F – Outline of oral submissions

Note: see rule 44.08.2.

IN THE HIGH COURT OF AUSTRALIA

[] REGISTRY

BETWEEN:

AB

Appellant

and

CD

Respondent

**APPELLANT’S / RESPONDENT’S / INTERVENER’S
OUTLINE OF ORAL SUBMISSIONS**

Part I: *[Certification that the outline or the redacted version of the outline (as the case requires) is in a form suitable for publication on the internet.]*

Part II: *[An outline of the propositions that the party intends to advance in oral argument.]*

Dated: *[e.g. 6 October 2022]*

.....(signed).....

Name: *[name of signatory]*

*[Senior legal practitioner presenting the case in Court,
or Party if self-represented]*

Form 28 – Bill of costs

Note: see rule 54.02.1.

IN THE HIGH COURT OF AUSTRALIA

[] REGISTRY

BETWEEN:

AB
Plaintiff/Appellant/Applicant

and

CD
Defendant/Respondent

BILL OF COSTS

The costs of the [party] to be taxed pursuant to the order of [state by whom made and the date on which the order was made].

[Include the following paragraph if a request for an estimate of costs under Part 57 of the High Court Rules 2004 is sought]

[I hereby request that a taxing officer, in the absence of the parties and without making any determination on any individual item on the bill, make an estimate on the approximate amount of professional charges and disbursements that, in the opinion of the taxing officer, would be allowed if the bill of costs were taxed.]

Item No	Date	Item	Disbursements	Charges
		
Summary			Disbursements	Charges
Page 1				
Page 2				
		
			(Total disbursements)	(Total charges)
		Add total disbursements	
		Subtotal	
		Less taxed off	
		Subtotal	
		Add taxing fee	
		Taxed and allowed at	

I certify that the additions contained in this bill of costs are correct.

.....(signed).....
[Party or Legal Practitioner]

Form 29 – Certificate of taxation

Note: see rule 57.04.3.

IN THE HIGH COURT OF AUSTRALIA
[] REGISTRY

BETWEEN:

AB
Plaintiff/Appellant/Applicant

and

CD
Defendant/Respondent

CERTIFICATE OF TAXATION

I certify that the costs of the [party] as against the [party], pursuant to the order of the Court dated [date], have been taxed [or assessed] and allowed at [\$].

Dated: [e.g. 6 October 2022]

.....
Taxing Officer

Form 30 – Ex parte application for leave to institute a proceeding

Note: see rule 6.06.3.

IN THE HIGH COURT OF AUSTRALIA
[] REGISTRY

BETWEEN:

In the matter of an Application by
[full name of the Applicant]
for leave to institute a proceeding

EX PARTE APPLICATION FOR LEAVE TO INSTITUTE A PROCEEDING

1. The Applicant applies for leave to institute the attached proceeding.
2. On [date] [the Court or name of Justice] made a vexatious proceedings order.

Grounds

The grounds of the application appear in the supporting affidavit of [name of person] [sworn or affirmed] on [date].

Dated: [e.g. 6 October 2022]

.....(signed).....
[Applicant or Legal Practitioner]

The applicant is represented by [Firm name].

OR

The applicant is self-represented.

Form 31 – Ex parte application for leave to issue or file

Note: see rule 6.07.3.

IN THE HIGH COURT OF AUSTRALIA
[] REGISTRY

BETWEEN:

In the matter of an Application by
[*full name of the Applicant*]
for leave to issue or file

EX PARTE APPLICATION FOR LEAVE TO ISSUE OR FILE

1. The Applicant applies for leave to have issued or to file the attached document.
2. On [*date*] [*name of Justice*] directed the Registrar to refuse to issue or file the document without the leave of a Justice first had and obtained by the party seeking to issue or file it.

Grounds

The grounds of the application appear in the supporting affidavit of [*name of person*]
[*sworn or affirmed*] on [*date*].

Dated: [*e.g. 6 October 2022*]

.....(signed).....
[*Applicant or Legal Practitioner*]

The applicant is represented by [*Firm name*].

OR

The applicant is self-represented.