



## Local Court Rule 2000—Forms

under the

Justices Act 1902

In accordance with clause 5 of the *Local Court Rule 2000*, I have approved the following forms for use in proceedings in a Local Court to which the *Local Court Rule 2000* applies.

Dated 11th January 2001.

PATRICIA J. STAUNTON, A.M.,  
Chief Magistrate

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### List of approved Forms

- |        |  |
|--------|--|
| Form 1 | Notice of application to set aside subpoena                            |
| Form 2 | Order for substituted service of a subpoena                            |
| Form 3 | Application for substituted service of a subpoena                      |
| Form 4 | Application that declaration as a habitual traffic offender be quashed |
| Form 5 | Application for access order   |
| Form 6 | Application to vary or revoke an access order                          |
| Form 7 | Application for order for compensation in relation to access order     |
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Approved forms

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To: \*Respondent

\*Local Court

## **Form 2 Order for substituted service of a subpoena**

(Clause 11 (1), Local Court Rule 2000)

(Justices Act 1902, section 100AP (3) and (4))

Applicant: (name of applicant)

Address: (address of applicant)

Respondent: (name of respondent)

To whom issued: (name)

Date Subpoena issued: (date)

Issuing party: (name)

In proceedings between: (name of parties to the proceedings)

Date Subpoena returnable: (date for attendance or production of documents indicated on subpoena)

Place of hearing: (name and address of court)

Offence: (short description of offence)

Case No: (case reference number)

The application is granted/not granted

Subpoena is to be served in the following manner:

(state manner in which substituted service is to be effected)

A copy of this Order for Substituted Service is to be served with the Subpoena

Clerk of the Local Court

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## 2001 No 14

Form 2

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Date: (date)

At: (place)

## Form 3 Application for substituted service of a subpoena

(Clause 11 (2) (b), Local Court Rule 2000)

(Justices Act 1902, section 100AP (3) and (4))

Applicant: (name of applicant)

Address: (address of applicant)

Respondent: (name of respondent)

Party to whom issued: (name)

Date Subpoena issued: (date)

Issuing party: (name)

In proceedings between: (name of parties to the proceedings)

Date Subpoena returnable: (date for attendance or production of documents indicated on subpoena)

Place of hearing: (name and address of court)

Offence: (short description of offence)

Case No: (case reference number)

I apply to the Local Court for an order that service of the subpoena issued to (name of person) dated (date) returnable (date) be effected in the following manner:  
(state the manner in which substituted service to be effected)

I rely on the following grounds:  
(state grounds upon which application made)

Dated at (place) this (date)

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Applicant: (name of applicant)

Address: (address of applicant)

To: Clerk, Local Court at (place)

Application granted/not granted

Subpoena is to be served in the following manner:  
(state manner in which substituted service is to be effected)

Copy of Order for Substituted Service (Form 3) is to be served with the Subpoena

Clerk of the Local Court

Date: (date)

**Form 4 Application that declaration as a habitual traffic offender be quashed**

(Clause 12, Local Court Rule 2000)

(Road Transport (General) Act 1999, section 31)

Name of applicant:

Residential address:

Postal address: (only complete if different to residential address)

Date of birth:

Licence number:

Particulars of relevant offences:

(Either list the three or more relevant offences (including dates and places of conviction) or attach copy of letter from the Roads and Traffic Authority)

## 2001 No 14

Form 4

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I make application that the declaration having effect on (date on which section 28 of Act had effect ) that I am a habitual traffic offender be quashed:

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Applicant

Date:

Fee

paid on

Receipt number

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### Notice of hearing

This application has been listed for hearing at the Local Court

At:

Date:

Time:

Clerk of the Local Court

Date:

To:

1 Applicant

2 Roads and Traffic Authority

#### **Note.**

Section 31 provides that the declaration may be quashed by a Court that convicts the person of a relevant offence (at the time of conviction or at a later time). Accordingly the application is to be listed before the Court that has convicted the person of the most recent relevant offence, ie, the offence which gave rise to the declaration as a habitual traffic offender.

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## Form 5 Application for access order

(Clause 14 (a), Local Court Rule 2000)

(Access to Neighbouring Land Act 2000, section 10)

Applicant: (name of applicant)

Address: (address of applicant)

Respondent 1 (Owner of land): (name of respondent)

Respondent 2 (Occupier/Other person affected by order): (name)

1 Application is made to the Local Court at for a neighbouring land access order and/or a utility service access order in relation to premises located at:

for the purpose of carrying out the following work in connection with the land:

2 The order sought is as follows:

3 The applicant states that reasonable efforts have been made to reach agreement with every person whose consent to access is required as to the access and carrying out of the work. The details of the effort to reach agreement are as follows:

4 The applicant seeks orders of substituted service or waiver of the notice or variation of the period of notice as follows:

Applicant:

Dated:

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**2001 No 14**

Form 5

Local Court Rule 2000—Forms

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## Notice of hearing

This application has been listed for hearing at the Local Court

At:

Date:

Time:

Clerk of the Local Court

Date:

To:

- |   |              |
|---|--------------|
| 1 | Applicant    |
| 2 | Respondent 1 |
| 3 | Respondent 2 |

## Form 6 Application to vary or revoke an access order

(Clause 14 (b), Local Court Rule 2000)

(Access to Neighbouring Land Act 2000, section 24)

Applicant: \_\_\_\_\_ (name of applicant)

Address: \_\_\_\_\_ (address of applicant)

Respondent 1 (Owner of land): (name of respondent)

Address: \_\_\_\_\_ (address of respondent)

Respondent 2 (Occupier/Other person affected by order): (name)

Address: \_\_\_\_\_ (address of respondent)

Local Court at:



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Application is made to the Court to revoke/vary the neighbouring land access order and/or utility service access order made in relation to premises located at:  
(state address of premises)

The order was made by the Local Court at \_\_\_\_\_ on \_\_\_\_\_.

The grounds on which this application is made are as follows: (state grounds)

Variation of Orders sought:

Applicant:

Dated:

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**Notice of hearing**

This application has been listed for hearing at the Local Court

At:

Date:

Time:

Clerk of the Local Court

Date:

To:

- 1 Applicant
- 2 Respondent 1
- 3 Respondent 2



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**Notice of hearing**

This application has been listed for hearing at the Local Court

At:

Date:

Time:

Clerk of the Local Court

Date:

To:

- 1 Applicant
- 2 Respondent 1
- 3 Respondent 2

BY AUTHORITY