

Commercial and Consumer Tribunal

Form 4 Version 1.2

Application in a proceeding

(Where a matter has commenced in the tribunal)

This application is only to be used if, in the conduct of your application, you need to apply for any additional orders from the tribunal which were not included in your original application.

Part A

Application No: <> _____

Applicant: <> _____

Respondent: <> _____

This is an application by:
(Tick applicable)

Applicant OR

Respondent
First/Second/Third

Part B

This application is for: (Tick applicable)

***The consent of all parties must be sought before applying**

Extensions and adjournments

- Expedited hearing by consent (domestic building disputes over \$10,000)*
- Extension of time to start or proceed with an application*
- Extension of time (specify) *
- Adjournment*

General

- Listing for directions*
- Inclusion of a party
(you must seek consent of all other parties and the proposed inclusion party. A consent Form 6i is to be included with this Form 4.)
- Consolidation of proceedings/ matters to be heard together*
- An interim order*

- Legal representation (update details)*

Alternative dispute resolution

- Mediation/further mediation*
- Ratification of a settlement agreement*
- Referral to expert*
- Case appraisal (consent of all parties required)*

Finishing or staying proceedings

- Summary decision
- Security for costs and stay of proceedings
- Leave to withdraw/take a further step in the action/other (specify)*
- Variation of an order*
- Correcting a clerical or mathematical mistake in a decision

Name <> _____

Firm <> _____

Address <> _____

Phone <> _____ Fax <> _____

<> _____

Other (specify)

I have sought the consent of all other parties (Attach relevant responses)

In Parts C to F below please attach separate sheets if you do not have sufficient space

Application in a proceeding cont'd

Part C

The nature of each order sought is ...

Please set out each order you wish the tribunal to make in numbered paragraphs. List only one order per paragraph. Refer to these paragraphs when making statement of claim or defence to which the orders relate.

1. <>

Part D

The basis of this application is ...

Explain why you seek these orders, in numbered paragraphs.

1. <>

Part E

The facts on which I rely for this application are ...

Briefly set out each fact, in numbered paragraphs, referencing them to the paragraphs in your statement of claim or defence. Full statements of fact should be in an affidavit form. If there is insufficient space on this form, please attach additional pages.

<>

Part F

Evidence of the facts set out above is contained in the following documents ...

Sworn evidence is required for a determination, e.g., affidavit of service and debt for decisions by default. List all affidavits (sworn statements of fact) that support your application and attach these in chronological order. Supporting documents (invoices, contracts, etc) should be marked in numerical order, referred to in the relevant affidavit, and attached to the affidavit as exhibits.

<>

Signed: _____
(Solicitor for the <Applicant/Respondent>)

Date: _____

Return completed form to:

Commercial and Consumer Tribunal
GPO Box 2469
Brisbane Qld 4001

OR

Deliver to Level 11, 259 Queen Street, Brisbane

OR

Facsimile: (07) 3247 3300

and

a copy must be forwarded to the other party(s)