

SUPREME COURT OF QUEENSLAND

REGISTRY: [registry]

NUMBER: [no.]



THE MATTER OF: [NAME] ["(in liquidation)" / other]
[ACN/ARBN]

Applicant: [NAME]

Respondent: [NAME]

A. DETAILS OF APPLICATION

This application is made under [section # / regulation #] of the [Corporations Act / ASIC Act / Corporations Regulations].

[nature of proceeding eg application for winding-up on ground of insolvency]

On the facts stated in the supporting affidavit(s), the applicant claims -

1. [claim]

Signed:

Description: Solicitor for the Applicant

Dated:

B. NOTICE TO RESPONDENT(S)

TO: [name & address of each respondent]

This application will be heard by the Court at –

Address: [address of court]

Time: am/pm

Date:

If you wish to oppose this application or to argue that any different order should be made, you must appear before the Court in person or by your lawyer and you shall be heard. If you do not appear at the hearing the orders sought may be made without further notice to you. In addition you must before the day for hearing file a notice of

ORIGINATING APPLICATION

Filed on behalf of the applicant
Form 2 - R.2.2

[Name and Address for Service]

Telephone: [Telephone]

Facsimile: [Facsimile]

DX: [DX]

appearance in this Registry. The notice should be in Form 4. You must serve a copy of it at the applicant's address for service shown in this application as soon as possible.

<Complete Part C if this originating application is seeking an order that a company be wound up in insolvency on the ground that the company has failed to comply with a statutory demand (see section 459Q of the Corporations Act)>

C. APPLICATION FOR WINDING UP ON GROUND OF INSOLVENCY

1. The applicant relies on failure by the respondent to comply with a statutory demand. A copy of the demand, marked "A", is attached to this originating application.

If demand delivered ...

2. The demand was served by [Name] who delivered it to the registered office of the respondent at [address] on [date].

OR ...

If demand posted ...

3. The demand was served by [Name] who posted it by ordinary prepaid post to the registered office of the respondent at [address] on [date].

OR...

If demand AND affidavit delivered ...

4. The demand and an accompanying affidavit were served by [Name] who posted it by ordinary prepaid post to the registered office of the respondent at [address] on [date]. A copy of the accompanying affidavit, marked "B", is attached to this originating process.

OR...

If demand AND affidavit posted ...

5. The demand and an accompanying affidavit were served by [Name] who posted it by ordinary prepaid post to the registered office of the respondent at [address] on [date]. A copy of the accompanying affidavit, marked "B", is attached to this originating process.

6. The respondent failed to pay the ["amount of the debt demanded"/"total of the debts demanded"] or the secure or compound for that [amount/total] to the applicant's reasonable satisfaction within 21 days after the demand was served on the respondent [or within 7 days after [date] when an application by the respondent under section 459G of the Corporations Act was finally determined or otherwise disposed of] [or if the period for compliance with the demand was extended by order ... within the period specified in the order of the {name of Court} on {date of Order/date of last such order} as the period for compliance with the demand.] [A copy of the order, marked "C", is attached to this originating application.]

If the demand was varied by order under subsection 459H(4) of the Corporations Act ...

7. The demand was varied by order of the [name of court] on [date of order]. A copy of the order, marked "D", is attached to this originating application.

D. FILING

Date of filing:

.....
Registrar

This originating application is filed by *[insert firm name]*, solicitors for the applicant.

E. SERVICE

The applicant's address for service is C/- *[insert address for service including telephone number, fax number, email address and document exchange where appropriate]*.

<Delete inapplicable service paragraph below>

It is not intended to serve a copy of this originating application on any person.

OR ...

It is intended to serve a copy of this originating application on each respondent and on any person listed below -

TO: [name of respondent & any other person]

<Delete paragraph below if inapplicable>

The time by which a copy of this originating application is to be served has been abridged by order made by [name] on [date] to [time & date].