

(insert proceeding heading)

LETTER OF REQUEST
Evidence Act 1929 s 59E(1)(c)

TO THE COMPETENT JUDICIAL AUTHORITY OF (insert place).....
.....in (insert country).....

Background

An action has been commenced in the Supreme Court of South Australia, in which
(insert name of party)of (insert address).....
is the (insert role of party)

and (insert name of party).....of (insert address).....
is the (insert role of party)

It is necessary, for the determination of the matters in dispute, that the following person,
resident within your jurisdiction, be examined as a witness upon oath or affirmation
concerning those matters: (insert name and address of proposed witness and state concisely
the matters on which the witness is required to testify)

.....
.....

Request

I (name)....., the Registrar of the Supreme Court of South
Australia, request pursuant to section 59E of the *Evidence Act 1929* that, for the assistance of
the Court, you summon the witness to attend, at a time and place you appoint, before a person
who according to your procedure is competent to take examinations of witnesses, and that
you cause the witness to be examined orally with regard to the matters in question, in the
presence of the agents of the parties, or such of them as, on due notice given, attend the
examination.

I request that you permit the agents of the (*insert name of party seeking that witness be called*)..... to examine the witness, and permit any other party to cross examine the witness and the party producing the witness for examination to re-examine the witness orally.

I request that the evidence of the witness be reduced into writing and all documents and things produced upon the examination be duly marked for identification, and that you authenticate the examination by the seal of your Court or in another way in accordance with your procedure, and return them to me together with a note of the charges and expenses payable in respect of this request through the Attorney-General of South Australia from whom this request was received for transmission to the Supreme Court of South Australia.

I request that you cause me, and the agents of the parties if appointed, to be informed of the date and time when and place where the examination is to take place.

Date:

(*signed*)
Registrar