

Common Form 5 - ORDER FOR SUBSTITUTED SERVICE

Judicial Officer(s): The Honourable Justice
His/Her Honour Judge
[Master of the Supreme Court]
Master

Date of application:[DD/MM/YYYY]

Application made by:[Party] [Name]

Date(s) of hearing [if any]:[DD/MM/YYYY]

Date of order:[DD/MM/YYYY]

Appearances:Solicitor/Counsel for the Plaintiff(s)
.....Solicitor/Counsel for the Defendant(s)
.....Solicitor/Counsel for [Other Parties]

Recitals [if any]:

THE COURT ORDERS that:

1. In lieu of personal service of the summons [*or other document*] in this action upon the Defendant (s) there be substituted service:
 - (a) by publication of a notice of these proceedings in the form of Annexure A to this order once in the [Name] newspaper published at [Place] and once in the [Name] newspaper published at [Place]; and
 - (b) by service of a copy of the summons [*or other document*] and this order by forwarding the same by prepaid post to [Name] at [Address] together with a letter explaining the effect of this order and requesting that, if possible, these proceedings be brought to the notice of the Defendant (s).

[Or as otherwise ordered]

2. The time limited for the filing of a notice of address for service by the Defendant (s) be [Number] days after publication of the last of the advertisements or the posting of the copy documents, whichever shall be the later [*or as the case may be*].

3. [Costs]

[Other text, as appropriate]

[Fit for counsel, if appropriate]

[Reproduction of Court Seal] This order is authenticated by.....
for Registrar

Computer File Reference.....

ANNEXURE A

To [*Name of Addressee*] whose last known address was [*Specify*] [*If more than one addressee specify each with related address*]

TAKE NOTICE that [*Full name (s) of Plaintiff (s)*], the Plaintiff (s) has/have instituted proceedings by summons in the [*Court*] seeking [*Here set out the substance of the claim*]. It has been ordered by the Court that service of the summons in this action on you be affected by this advertisement. If you desire to defend the action you must within [*Number*] days after the publication of this advertisement file a notice of address for service at the office of the Registrar of the [*Court*] at Adelaide in the State of South Australia. In default of such notice the action may proceed and judgment may be entered or orders may be made against you in your absence. Documents relating to the proceedings have been forwarded to [*Name and address of any or each person to whom documents have been sent*] and are available to you there or from the solicitor for the Plaintiff (s), who is [*Set out name, address, telephone number and e-mail address (if any) of file principal*].]