**ORIGINATING APPLICATION TO [VARY OR REVOKE CONDITION OF /DISCHARGE] [BOND/OBLIGATION]**

***Sentencing Act 2017* s 103**

[*SUPREME/DISTRICT/MAGISTRATES/YOUTH/ENVIRONMENT RESOURCES AND DEVELOPMENT*] **Select one** COURT OF SOUTH AUSTRALIA

CRIMINAL JURISDICTION

**[*FULL NAME*]**

**Applicant**

**v**

**[*FULL NAME*]**

**Respondent**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Applicant |  | | | | |
| Authorising individual  **If applicant ant is not an individual and not represented by a law firm/office** |  | | | | |
|  | | | | |
| Name of law firm/office  **If applicable** |  | | |  | |
| **Law firm/office** | | | **Responsible Solicitor** | |
| Address for service |  | | | | |
| **Street Address (including unit or level number and name of property if required)** | | | | |
|  |  |  | |  |
| **City/town/suburb** | **State** | **Postcode** | | **Country** |
|  | | | | |
| **Email address** | | | | |
| Phone Details |  | | | | |
| **Type (eg. home; work; mobile) – Number** | | | | |
| Applicant’s References |  | | |  | |
| **Reference number - optional** | | | **Instant loss of licence number - optional** | |

**Provision for multiple**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Respondent |  | | | | |
| **Full Name (including Also Known as)** | | | | |
| Address |  | | | | |
| **Street Address (including unit or level number and name of property if required)** | | | | |
|  |  |  | |  |
| **City/town/suburb** | **State** | **Postcode** | | **Country** |
|  | | | | |
| **Email address** | | | | |
| Phone Details |  | | |  | |
| **Type (eg. Home; work; mobile) – Number** | | | **Another number (optional)** | |

|  |  |  |
| --- | --- | --- |
| **Application details**  This Application is for:   * a condition of [*a Bond/an Obligation*] **select one**in respect of the original [*Defendant/Youth*] [*full name*] to be * varied. * revoked. * the discharge of an entire [*Bond/Obligation*] **select one** in respect of the original [*Defendant/Youth*] [*full name*].   This Application is made under section [*103(1)/103(8)*] **select one**of the *Sentencing Act 2017*.  The **Applicant**seeks the following orders: | | |
|  |  | The following condition[*s*]of the [*Good Behaviour/Suspended Sentence*] **select one** [*Bond entered into*]  *Obligation imposed by the Court*]**select one**be varied as follows:   * [*Enter details of variation for each condition*] |
|  |  | The following condition[*s*]of the [*Good Behaviour/Suspended Sentence*] **select one** [*Bond entered into*] [*Obligation imposed by the Court*]**select one**be revoked:   * [*Enter condition(s)*] |
|  |  | The [*Good Behaviour/Suspended Sentence*] [*Bond entered into*] [*Obligation imposed by the Court*] **select one**be discharged. |
|  |  | [*other*]. |
| This Application is made on the grounds   * set out in the accompanying Affidavit sworn by [*full name*] on [*date*]. *Must include* **if Application includes varying or revoking the conditions relating to firearms (e.g. guns) in s 96(2) of the *Sentencing Act 2017*** * that   **Enter grounds in numbered paragraphs**  **Only complete if applicable otherwise delete**  This Application is urgent on the grounds   * set out in the accompanying Affidavit sworn by[*full* *name*] on[*date*]. * that   **Enter grounds in numbered paragraphs** | | |

|  |
| --- |
| **To the Other Parties: WARNING**  This Application will be considered at the hearing at the date and time set out at the top of this document.  If you wish to oppose the Application or make submissions about it:   * **you must go to the hearing** and * if you wish to rely on any facts in addition to or contrary to those relied on by the party seeking the orders you **must** file and serve on all parties an affidavit before the hearing date.   If you do not do so, the Court **may proceed in your absence** and orders may be made **finally determining** this application without further warning.  **To the original [*Defendant/Youth*] select one****the subject of the** [*Bond/Obligation*]**: WARNING**  You **must** go to the hearing or have a lawyer go for you to make submissions in [*support of/response to*] **select one**this Application.  If you are in custody, arrangements can be made for you to appear before the Court in person or via audiovisual link on the day of the hearing. You should inform the Court Registry whether you wish to appear in person or by audiovisual link. |

|  |
| --- |
| **Service**  The party filing this document is required to serve it on all other parties in line with the Rules of Court. |

|  |
| --- |
| **Accompanying Documents**  Accompanying this Application is a   * Supporting Affidavit **optional** * If other additional document(s) please list them below: |