

<b>To be inserted by Court</b>
Case Number:
Date Filed:
FDN:

## ORIGINATING APPLICATION FOR RESERVATION OF QUESTION TO COURT OF APPEAL

Criminal Procedure Act 1921 s 153(6)

SUPREME COURT OF SOUTH AUSTRALIA  
 COURT OF APPEAL  
 CRIMINAL JURISDICTION

**[FULL NAME]**  
**Appellant**

v

**[FULL NAME]**  
**Respondent**

<b>Lodging party</b>	Party title	Full name of party	
Name of law firm/office	Law firm/office	Responsible Solicitor	
Name of authorised officer	Full name		
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		

provide for multiple parties

<b>Respondent</b>	Full Name		
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	

**Application Details**

The Appellant applies

- for leave to apply to the Court of Appeal for an order requiring a Court to refer a relevant Question to it for consideration and determination
- for an order requiring the Court to refer the Question to it for consideration and determination.

This Application is brought under section 153(6) of the *Criminal Procedure Act 1921*.

**Matter subject of application**

Date of conviction if applicable: *[date]*.

Date of decision of Court refusing to refer the relevant Question or Questions if applicable: *[date]*.

Court: *[Supreme/District/Magistrates/Environment Resources and Development Court/Youth Court/South Australian Employment Court/other]*. Select one

Judicial Officer: *[title and name]*.

Case number of court: *[case number]*. provision for multiple.

Relevant question or questions ("the Questions"):

Question or Questions in separate numbered paragraphs if more than one.

1.

Context in which the Questions arise: *[context]*

Any decision made by the Court concerning the Questions: *[decision/not applicable]*.

**Grounds of application for reservation of question**

grounds in separate numbered paragraphs

1.

**Orders sought**

orders sought in numbered paragraphs

1.

**Leave to make application**

- Leave not required if application made by Attorney-General or Director of Public Prosecutions
- Leave granted by *[title and name]* on *[date]*.
- Leave sought.

**Hearing of application**

The Appellant is in custody: *[yes/no]*.

remainder only displayed if appellant is defendant/youth and yes to previous question

following item only displayed if leave sought

At the hearing of the application for leave to apply to reserve Questions, the Appellant wishes to:

- be present in person.
- appear by audiovisual link.
- not appear.

following item only displayed if first selection to previous question

Reasons why the Appellant wishes to be present in person: *[reasons]*. audiovisual link is the usual form of appearance at a hearing of an application for leave for persons in custody. Special reasons need to be given for the Court to direct personal attendance

At the hearing of the application to reserve Questions (if leave already granted), the Appellant wishes to:

- be present in person.
- appear by audiovisual link.
- not appear.

following item only displayed if first selection to previous question

Reasons why the Appellant wishes to be present in person: *[reasons]*. Audiovisual link is the usual form of appearance at a hearing of an application for leave for persons in custody. Special reasons need to be given for the Court to direct personal attendance

following displayed if applicant is defendant/youth and yes to first question at top of box

At the hearing of the Questions reserved (if reserved), the Appellant wishes to:

- be present in person.
- appear by audiovisual link.
- not appear.

following item only displayed if first selection to previous question

Reasons why Appellant wishes to be present in person: *[reasons]*. Audiovisual link is the usual form of appearance at a hearing of an application for persons in custody. Special reasons need to be given for the Court to direct personal attendance

### To the Other Parties: WARNING

The Appellant applies for reservation of the Questions identified above. The parties will be advised of a hearing date in due course.

If you wish to oppose the application or make submissions about it, you **must** attend the hearing. If you do not attend the hearing, the Court may make orders **finally determining** the Application without further warning

### Service

The party filing this document is required to serve it on all other parties in accordance with the Rules of Court.