

To be inserted by Court

Case Number:

Date Filed:

FDN:

Hearing Date and Time:**Hearing Location:**

ORIGINATING APPLICATION – PRISONERS (INTERSTATE TRANSFER) ACT – INTERSTATE TRANSFER ORDER

Prisoners (Interstate Transfer) Act 1982 s 15

MAGISTRATES COURT OF SOUTH AUSTRALIA
SPECIAL STATUTORY JURISDICTION

[FULL NAME]
Applicant

[FULL NAME]
Respondent

Duplicate panel if multiple Applicants

Applicant			
Name of law firm/solicitor If any	Full Name		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		Another number (optional)

Form 1AE

Duplicate panel if multiple Respondents

Respondent	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 (optional)	

Next box to only appear if applicable

Duplicate panel if multiple Interested Parties

Interested Party	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 (optional)	

Application Details

Matter type:

This Application is for an order for the transfer of a prisoner to a participating State or Territory.

This Application is made under section 15 of the *Prisoners (Interstate Transfer) Act 1982* ('the Act').

The Applicant seeks the following orders:

Orders sought in separately numbered paragraphs.

1. [Name of prisoner] is transferred to [participating State/Territory] and the manager of [prison where prisoner is imprisoned] is to deliver [name of prisoner], together with the order for transfer, into the custody of an escort(s), as defined in section 24(2) of the Act.

1. The escort(s) will take and keep custody of [name of prisoner] for the purpose of conveying them from the State of South Australia to [participating State or Territory] and there conveying the prisoner into the custody of the person for the time being in charge of [name of prison of participating State or Territory].

2. [Enter other orders].

This Application is made on the grounds:

- ☐ set out in the accompanying Affidavit sworn by [name] on [date].
- ☐ the prisoner is the subject of an arrest warrant issued in accordance with the law of [participating State, the Commonwealth or Territory].
- ☐ Delete if inapplicable the prisoner has made a written request for their transfer to a participating State or Territory to be dealt with according to law.
- ☐ a prescribed officer has issued a certificate under section 13(2) of the Act certifying that any consent or request required under section 13(1) has been given or made.
- ☐ provision for multiple [Enter other grounds].

If applicable

The Application is urgent because
grounds in separately numbered paragraphs where more than one

1.

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 attend 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 within 14 days after service of the Application.

If you do not do so, the Court may proceed in your absence and orders may be made **finally determining** this proceeding without further warning.

For instructions on how to obtain access to the file, visit <https://courtsa.courts.sa.gov.au/?g=node/482>.

Accompanying Documents

Accompanying this Application is a:

- ☐ Multilingual Notice mandatory
- ☐ Supporting Affidavit mandatory unless application is of a specified type in which case it is optional
- ☐ Notice to Respondent Served Interstate mandatory when address of party to be served is interstate
- ☐ Notice to Respondent Served in New Zealand mandatory when address of party to be served is in NZ
- ☐ Notice to Respondent Served outside Australia mandatory when address of party to be served is overseas & not in NZ
- ☐ If other additional document(s) please list below: