

To be inserted by Court Case Number: Date Filed: FDN:
Hearing Date and Time: Hearing Location:

ORIGINATING APPLICATION

SUPREME COURT OF SOUTH AUSTRALIA
CIVIL JURISDICTION
[NAME OF LIST] LIST If applicable

Please specify the Full Name including capacity (eg Administrator, Liquidator, Trustee) and Litigation Guardian Name (if applicable) for each party. Each party should include a party number if more than one party of the same type.

First Applicant

First Respondent

First Interested Party

Applicant	Full Name (including Also Known as, capacity (eg Administrator, Liquidator, Trustee) and Litigation Guardian Name (if applicable))			
Name of law firm / solicitor <small>If any</small>	Law Firm		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 - Number			

Duplicate panel if multiple Applicants

Respondent	Full Name (including Also Known as, capacity (eg Administrator, Liquidator, Trustee) and Litigation Guardian Name (if applicable))			
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 - Number			
Service	[.....] Sheriff service requested for this Respondent If requested mark with an 'x'			

Duplicate panel if multiple Respondents

Interested Party	Full Name (including Also Known as, capacity (eg Administrator, Liquidator, Trustee) and Litigation Guardian Name (if applicable))			
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 - Number			
Service	[.....] Sheriff service requested for this Interested Party If requested mark with an 'x'			

Duplicate panel if multiple Interested Parties

Application Details

Mark appropriate sections below with an 'x'

Matter Type:

This Application is by a party to an arbitration agreement for an order for issue of a subpoena.

This Application is made under

[.....] section 23(3) of the International Arbitration Act 1974 (Cth).

[.....] section 27A of the Commercial Arbitration Act 2011 for issue of a Subpoena.

The Applicant seeks the following orders:

1. An order that a subpoena [*type of subpoena*] be issued to [*name*].
2. [*any other orders sought*]

This Application is made on the grounds set out in the accompanying affidavit sworn by [*name*] on [*date*].

The Affidavit must state the parties to the arbitration; the name of the arbitral tribunal conducting the arbitration; the place where the arbitration is being conducted; the nature of the arbitration; the terms of the permission given by the arbitral tribunal for the application; the conduct money (if appropriate) to be paid to the addressee; and the witness expenses payable to the addressee.

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
- you **must file and serve on all parties a Response within 14 days after service** of the Application 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 (including as to costs) without further warning.

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

Service

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

Accompanying Documents

Mark appropriate sections below with an 'x'

Accompanying this Application is a:

- [.....] Multilingual Notice (mandatory)
- [.....] Supporting Affidavit (mandatory) (must be filed and served)
- [.....] Notice to Respondent Served Interstate (mandatory if address of the respondent or interested party to be served is interstate)
- [.....] Notice to Respondent Served in New Zealand (mandatory if address of the party to be served is in New Zealand)
- [.....] Notice to Respondent Served outside Australia (mandatory if address of the party to be served is outside Australia but not in New Zealand)

[.....] If other additional document(s) please list them below:

Note to Parties

There are usually cost penalties for making an unsuccessful application or resisting a successful application.