**INTERPLEADER**

MAGISTRATES COURT OF SOUTH AUSTRALIA

CIVIL JURISDICTION

[*MINOR CIVIL*] **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.**

**Small Business Commissioner**

Applicant

First Interested Party

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| Applicant | Small Business Commissioner | | | | |
| **Full Name (including Also Known as, capacity (eg Administrator, Liquidator, Trustee) and Litigation Guardian Name (if applicable))** | | | | |
| Name of law firm / solicitor  **If any** |  | | |  | |
| **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**

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| **Interested Party: Lessee** | | | | |
| Lessee |  | | | |
| **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 Lessees**

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| --- | --- | --- | --- | --- |
| **Interested Party: Lessor** | | | | |
| Lessor |  | | | |
| **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 Lessors**

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| **Proceeding Details**  Matter Type:  This proceeding relates to money being a bond held by the Small Business Commissioner and is referred to the Magistrates Court of South Australia under section 20(6) of the Retail and Commercial Leases Act 1995. |

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| **Property Details**  Money subject of interpleader: security bond of $[*amount*] paid on [*date*] in respect of a retail shop [*name and address*].  Property [*held/controlled*] by Applicant because the security bond was paid pursuant to section 19 of the Retail and Commercial Leases Act 1995.  Reason for interpleader: security bond is in dispute. |

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| **To the Interested Parties: WARNING**  The Small Business Commissioner has referred this matter to the Court for determination regarding a dispute over a security bond. The referral will be considered at the hearing at the date and time set out at the top of this document.  If you wish to make submissions about the repayment of the security bond, you must attend the hearing. If you do not attend the Court hearing orders may be made without further warning. |

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

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| **Accompanying Documents**  **Mark appropriate sections below with an ‘x’**  Accompanying service of this Application is a:  [ ] Supporting Affidavit (optional)  [ ] Multilingual Notice (mandatory)  [ ] 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: |