

<p><b>To be inserted by Court</b></p> <p>Case Number:</p> <p>Date Filed:</p> <p>FDN:</p>
<p><b>Hearing Date and Time:</b></p> <p><b>Hearing Location:</b></p>

## SUBPOENA TO ATTEND TO GIVE EVIDENCE

[*SUPREME/DISTRICT/ENVIRONMENT, RESOURCES AND DEVELOPMENT*] Delete all but one COURT OF SOUTH AUSTRALIA  
 [*COURT OF APPEAL*] If applicable  
 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

Person subject to Subpoena			
Person	Full Name		
Address	Street Address (including unit or level number and name of property if required)		
	City/town/suburb	State	Postcode
	Country		
	Email address		
Telephone	Type - Number		

YOU ARE ORDERED to **attend to give evidence at the date, time and location set out above** unless you receive notice of a later date or time from the issuing party, in which case the later date or time is substituted.

You must continue to attend from day to day unless you are excused by the Court or the person authorised to take evidence in this matter or until the hearing of the matter is completed.

**Failure to comply with this subpoena without lawful excuse is a contempt of court and may result in your arrest.**

You should read all of the Notes set out at the end of this subpoena.

The last date for service of this subpoena is [date] (see Note 1).

If applicable

The last date for service was fixed by order made by [title and name of judicial officer] on [date].

**Subpoena issued at the request of the following party**

<b>Party Title</b>	<b>Full Name (including Also Known as, capacity (eg Administrator, Liquidator, Trustee) and Litigation Guardian Name (if applicable))</b>		
<b>Name of law firm / solicitor If any</b>	<b>Law Firm</b>		<b>Solicitor</b>
<b>Address for service</b>	<b>Street Address (including unit or level number and name of property if required)</b>		
	<b>City/town/suburb</b>	<b>State</b>	<b>Postcode</b>
	<b>Country</b>		
	<b>Email address</b>		
<b>Phone Details</b>	<b>Type - Number</b>		

Duplicate panel if required

**Notes**

**Last day for service**

- Subject to note 2, you need not comply with the Subpoena unless it is served on you on or before the date specified in the Subpoena as the last date for service of the Subpoena.

**Informal service**

- Even if this Subpoena has not been served personally on you, you must, nevertheless, comply with its requirements, if you have, by the last date for service of the Subpoena, actual knowledge of the Subpoena and of its requirements.

**Addressee a corporation**

- If the Subpoena is addressed to a corporation, the corporation must comply with the Subpoena by its appropriate or proper officer.

**Conduct money**

- You need not comply with the requirements of the subpoena unless a sum of money or its equivalent (such as pre-paid travel) sufficient to meet your reasonable expenses of attending as required by the subpoena and returning after so attending is provided or tendered to you a reasonable time before the day on which your attendance is required.

**Applications in relation to Subpoena**

5. You have the right to apply to the Court for an order setting aside the Subpoena (or a part of it) or for relief in respect of the Subpoena.

**Loss or expense of compliance**

6. You may apply to the Court for an order that the issuing party pay an amount (in addition to conduct money and any witness's expenses) in respect of the loss or expense, including legal costs, reasonably incurred in complying with the Subpoena.

**Contempt of court – arrest**

7. Failure to comply with a Subpoena without lawful excuse is a contempt of court and may be dealt with accordingly.
8. Note 7 is without prejudice to any power of the Court under any rules of the Court (including any rules of the Court providing for the arrest of an addressee who defaults in attendance in accordance with a Subpoena) or otherwise, to enforce compliance with a Subpoena.

For more information regarding attending Court, Court services and translation services visit [www.courts.sa.gov.au](http://www.courts.sa.gov.au)

**Notes to Lodging Party**

If the recipient is to be served interstate, a Form 108 Notice must be served with the Subpoena.

If the recipient is a prisoner to be served interstate, a Form 109 Notice must be served with the Subpoena.

If the recipient is to be served in New Zealand a Form 110 Notice must be served with the Subpoena.