

Form 23 – Application for leave or special leave to appeal

Note: see rule 41.01.1.

IN THE HIGH COURT OF AUSTRALIA

[] REGISTRY

BETWEEN:

AB
Applicant

and

CD
Respondent

APPLICATION FOR [LEAVE OR] SPECIAL LEAVE TO APPEAL

The applicant applies for [*leave or*] special leave to appeal from [*state part or whole*] of the judgment of the [*state Court, Justice or Judge below*] given on [*state date*].

[*If applicable, include the following statement [The applicant seeks an order that compliance with the time limited by rule 41.02.1 be dispensed with.]*]

Special considerations or circumstances

[*Any special considerations or circumstances which may affect the Court's consideration of the application (for example, the need for expedition; suppression or non-publication orders made below; etc.)*]

Part I: [*The proposed grounds of appeal and the orders that will be sought if leave or special leave is granted.*]

Part II: [*A concise statement of the leave or special leave questions said to arise.*]

Part III: [*A brief statement of the applicant's argument in support of the grant of leave or special leave.*]

Part IV: [*Any reasons why an order for costs should not be made in favour of the respondent in the event that the application is refused.*]

Part V: [*A list of the authorities on which the applicant relies, identifying the paragraphs at which the relevant passages appear.*]

Part VI: [*The particular constitutional provisions, statutes and statutory instruments applicable to the questions the subject of the application set out verbatim. If more than one page in length, this Part should be attached as an annexure.*]

Dated [*e.g. 6 October 2022*]

.....
[Applicant
or Legal Practitioner]

To: The Respondent
[Firm name (if known) or Respondent is self-represented]

TAKE NOTICE: Before taking any step in the proceedings you must, within **14 DAYS** after service of this application, enter an appearance and serve a copy on the applicant.

The applicant is represented by [Firm name].

OR

The applicant is self-represented.