

SUPPLEMENTARY GAZETTE



**THE SOUTH AUSTRALIAN
GOVERNMENT GAZETTE**

www.governmentgazette.sa.gov.au

PUBLISHED BY AUTHORITY

ALL PUBLIC ACTS appearing in this GAZETTE are to be considered official, and obeyed as such

ADELAIDE, THURSDAY, 9 DECEMBER 2010

CONTENTS

	Page
RULES	
Magistrates Court (Civil) Rules 1992— (Amendment No. 35)	5626
Magistrates Court Rules 1992— (Addendum to Amendment No. 36).....	5644
(Addendum to Amendment No. 37).....	5645

RULES OF COURT
Magistrates Court of South Australia
Amendment No. 35 to the Magistrates Court (Civil)
Rules 1992

PURSUANT to section 49 of the Magistrates Court Act 1991 and all other enabling powers, we the undersigned do hereby make the following amendments to the MAGISTRATES COURT (CIVIL) RULES 1992:

1. These Rules may be cited as the 'Magistrates Court (Civil) Rules 1992 (Amendment 35)'.

2. The Magistrates Court (Civil) Rules 1992, as amended, by these amendments apply to and govern all actions commenced in the civil division of the Court on and after the date on which these amendments are gazetted.

3. Form 17 of the Magistrates Court Civil Forms is deleted and replaced with the following Form 17.

4. Form 12 of the Magistrates Court Civil Forms is deleted and replaced with the following Form 12.

5. Third Schedule: Costs (Civil) Witness Fees and Disbursements, Scale 1: Routine Actions, Scale 2: Complex Actions and Witness Fees and Disbursements, Scale 3: Minor Civil Actions and Scale 4: Workers Liens, Charging Orders and Warrants of Sale are all deleted and replaced with the attached revised schedules which include the additional note that Goods and Services Tax is not included in the costs.

Signed on the 29th day of November 2010 by:

Elizabeth Mary Bolton
Chief Magistrate

Andrew James Cannon
Deputy Chief Magistrate

Kym Andrew Millard
Stipendiary Magistrate

Simon Hugh Milazzo
Stipendiary Magistrate

Form 12

MAGISTRATES COURT OF SOUTH AUSTRALIA (CIVIL DIVISION)

**Appeal against the Cancellation of a Provisional or Probationary Licence
and Disqualification from Holding or Obtaining a Licence**

Trial Court:

Action No:

Address:

Telephone:

Fax No.:

OFFICE USE ONLY
Date of Filing:
Served on Registrar M.V on
behalf of the Crown.:

I (full name)

of (address)

(occupation) Date of birth

hereby appeal to the Trial Court against cancellation of my licence and from my being disqualified from holding or obtaining a licence under the provisions of section 81B of the *Motor Vehicles Act 1959*. Notice of Cancellation of my driver's licence and disqualification was served upon me on the day of 20

Licence No.:

Is this a Probationary/Provisional Licence?

Please be prepared to give evidence as to the forms of transport available if you are disqualified and why this transport does not meet your needs or the needs of a dependant.

.....
(Signed)
Appellant/Solicitor for Appellant

I GIVE NOTICE THAT THE APPEAL WILL BE HEARD AT THE TRIAL COURT

ON THE.....DAY OF20 AT AM/PM.

.....
Registrar

Appellant – If you fail to appear at the hearing your application may be dismissed and you could be ordered to pay costs of the Registrar of Motor Vehicles, and any remaining period of cancellation and disqualification will operate from the time of such dismissal.

Following a successful appeal you will be permitted to drive for 2 business days before your licence is cancelled. You must attend at a Service SA Centre to arrange for your licence to be reissued.

The penalty for driving disqualified is gaol for up to six months for a first offence. For a second offence the penalty is gaol for up to two years.

THIRD SCHEDULE: COSTS***SCALE 1: ROUTINE ACTIONS***

ITEM	\$1 - \$20,000	\$20,001 - \$80,000
1 Application in the nature of an application for an interim injunction.	70% of the Supreme Court scale	90% of the Supreme Court scale
2 Pre-action Application	\$150	\$250
3 (a) deleted per Rule Amendment 20 (b) deleted per Rule Amendment 20		
4 Filing an action (other than under Rules 37 and 38) including where necessary attending the first Directions Hearing. A defence and counterclaim will only be allowed as one item on the higher scale applicable.	4.4% of the judgment sum	4.4% of the judgment sum up to a maximum of \$2,640
5 Filing an action under Rules 37 and 38.	As allowed by the Court.	
6 Any and all activity after the first directions hearing until the trial date is set or the last pre-trial conference or hearing whichever is the latter.	10%	10% up to a maximum of \$6,000
7 All aspects not otherwise specified of and incidental to preparing for trial including proofing witnesses, advice on evidence and law (solicitor and counsel) and delivering brief to counsel.	11% of the judgment sum	11% of the judgment sum up to a maximum of \$6,600
8 Arranging witnesses for trial - per witness (includes obtaining and filing and serving expert reports).	\$50	\$75
9 Issuing and serving summons to witness.	\$50	\$75
10 Filing request (Form 18) not otherwise provided for.	\$50	\$50
11 Request for Investigation or Examination Summons including attendance at the hearing.	\$90	\$100

ITEM	\$1 - \$20,000	\$20,001 - \$80,000
12 Service of any document which is not in the usual course served by the Court and is not otherwise specified -		
(a) Personal where required	\$100	\$100
(b) Other	\$50	\$50
13 Preparing bill for taxation (includes attendance).	\$250	\$330

ATTENDANCE AND COUNSEL FEES

ITEM	\$1 - \$20,000	\$20,001 - \$80,000
14 To advise on compromise or settlement for a person under disability –		
(a) Where quantum only is in dispute;	\$250	\$500
(b) Where quantum and liability are in dispute;	\$350	\$700
14A Where no amount has been claimed under item 14, to provide an opinion (including to advice on evidence) -		
(a) Where quantum only is in dispute;	\$250	\$500
(b) Where quantum and liability are in dispute;	\$350	\$700
15 Attendance as counsel at trial (includes fee on brief and refreshers)		
- first day		
- subsequent day(s)	\$1,200	\$1,500
- attendance for judgment	\$800	\$1,000
	\$150	\$200
16 Attendance on an application to set aside a warrant.	\$50	\$50
17 Any other attendance where the costs are not within items 4, 6 or 7.	\$100	\$120

NOTES:

- A** The Court may allow any larger or lesser amount for any item and any amount in respect of any other matter that the Court allowed at the time of making any order.
- B** All the above items are all inclusive of all costs for all incidental and necessary activity and advice for each item to the intent that no costs will be allowed in addition to the costs set forth for each item nor for anything not itemised.
- C** For the purposes of items 4, 6 and 7 the costs calculated must be rounded to the nearest \$10.
- D** For the purpose of determining the applicable scale, any cents must be rounded up to the next dollar and unless the Court orders to the contrary any interest component in the judgment sum will be excluded.
- E** The costs allowed in this scale do not include Goods and Services Tax (GST) which is to be added except in the following circumstances:

The GST should not be included in a claim for costs in a party/party Bill of Costs if the receiving party is able to recover the GST as an input tax credit. Where the receiving party is able to obtain an input tax credit for a proportion of GST only, only the portion which is not eligible for credit should be claimed in the party/party bill.

WITNESS FEES AND DISBURSEMENTS

Professional scientific or other expert witnesses per day	\$600 or such amount ordered by the Court
Other adult person per day	\$300
Persons under 18 years of age per day	\$120
Travel expenses	Where the witness is normally resident more than 50 km from the trial Court at the rate of 70 cents per km or the least expensive return air fare whichever is the lesser or the cheapest combination of both.
Accommodation expenses	In the discretion of the taxing officer where the witness is required to be absent from his or her normal place of residence overnight for accommodation and sustenance per night \$240 or such larger amounts allowed by the Court at the time of or before judgment.

Photocopying	50 cents per page
STD calls	The actual cost.
Expert Reports	\$525 or such other amount ordered by the Court
Other	All Court fees, search fees, and other fees and payments to the extent to which they have been properly and reasonably incurred and paid; but excluding the usual and incidental expenses and overheads of a legal practice and in particular excluding postage, telephone charges (non STD) and courier expenses.

NOTES:

- A** If a witness is released before or is required to first attend after the luncheon break on any day, half a day will be allowed.
- B** Where a party intends to serve a claim by means other than post, e-mail or fax a disbursement equal to the amount a Sheriff is entitled to receive for serving a claim form is allowed, but if the process is returned to the Court unserved, or is served by post, e-mail or fax, the disbursement must be disallowed unless a Registrar is satisfied that the party made reasonable efforts to serve the claim by means other than post, e-mail or fax.
- C** The costs allowed in this scale do not include Goods and Services Tax (GST) which is to be added except in the following circumstances:

The GST should not be included in a claim for costs in a party/party Bill of Costs if the receiving party is able to recover the GST as an input tax credit. Where the receiving party is able to obtain an input tax credit for a proportion of GST only, only the portion which is not eligible for credit should be claimed in the party/party bill.

SCALE 2: COMPLEX ACTIONS

ITEM	\$1 - \$20,000	\$20,001 - \$80,000
1 Application in the nature of an application for an interim injunction.	70% of the Supreme Court scale	Other than actions to which Item 5 applies, costs in actions of this class will be allowed on the basis of 90% of the Supreme Court scale
2 Pre-action Application.	\$150	
3 (a) deleted per Rule Amendment 20		

(b) deleted per Rule Amendment 20.		
4 Filing an action (other than under Rules 37 and 38) including where necessary attending the first directions hearing. A defence and counterclaim will only be allowed as one item on the higher scale applicable.	6.5% of the judgment sum	
5 Filing an action under Rules 37 and 38.	As allowed by the Court	
6 Any and all activity after the first directions hearing until the trial date is set or the last pre-trial conference whichever is the latter.	12%	
7 All aspects not otherwise specified of and incidental to preparing for trial including proofing witnesses, advice on evidence and law (solicitor and counsel) and delivering brief to counsel.	16.5% of the judgment sum	
8 Arranging witnesses for trial-per witness (includes obtaining and filing and serving expert reports).	\$50	
9 Issuing and serving summons to witness.	\$50	
10 Filing request (Form 18) not otherwise provided for.	\$50	

11	Request for Investigation or Examination Summons including attendance at the hearing.	\$90	
12	Service of any document which is not in the usual course served by the Court and is not otherwise specified: (a) Personal where required (b) Other	\$100 \$50	
13	Preparing bill for taxation (includes attendance)	\$250	

ATTENDANCE AND COUNSEL FEES

ITEM	\$1 - \$20,000	\$20,001 - \$80,000
14 To advise on compromise or settlement for a person under disability - (a) Where quantum only is in dispute (b) Where quantum and liability are in dispute	\$350 \$450	
15 Attendance as counsel at trial (includes fee on brief and refreshers) - - first day - subsequent day(s) - attendance for judgment	\$1,500 \$1,000 \$200	

ITEM	\$1 - \$20,000	\$20,001 - \$80,000
16 Attendance on an application to set aside a warrant.	\$50	
17 Any other attendance where the costs are not within items 4, 6 or 7	\$120	

NOTES:

- A** The Court may allow any larger or lesser amount for any item and any amount in respect of any other matter that the Court allowed at the time of making any order.
- B** All the above items are all inclusive of all costs for all incidental and necessary activity and advice for each item to the intent that no costs will be allowed in addition to the costs set forth for each item nor for anything not itemised.
- C** For the purposes of items 4, 6 and 7 the costs calculated must be rounded to the nearest \$10.
- D** For the purpose of determining the applicable scale, any cents must be rounded up to the next dollar and unless the Court orders to the contrary any interest component in the judgment sum will be excluded.
- E** The costs allowed in this scale do not include Goods and Services Tax (GST) which is to be added except in the following circumstances:

The GST should not be included in a claim for costs in a party/party Bill of Costs if the receiving party is able to recover the GST as an input tax credit. Where the receiving party is able to obtain an input tax credit for a proportion of GST only, only the portion which is not eligible for credit should be claimed in the party/party bill.

WITNESS FEES AND DISBURSEMENTS

Professional scientific or other expert witnesses per day	\$600 or such amount ordered by the Court
Other adult person per day	\$300
Persons under 18 years of age per day	\$120

Travel expenses	Where the witness is normally resident more than 50 km from the trial Court at the rate of 70 cents per km or the least expensive return air fare whichever is the lesser or the cheapest combination of both.
Accommodation expenses	In the discretion of the taxing officer where the witness is required to be absent from his or her normal place of residence overnight for accommodation and sustenance per night \$240 or such larger amounts allowed by the Court at the time of or before judgment.
Photocopying	50 cents per page
STD calls	The actual cost
Expert Reports	\$525 or such other amount ordered by the Court
Other	All Court fees, search fees, and other fees and payments to the extent to which they have been properly and reasonably incurred and paid; but excluding the usual and incidental expenses and overheads of a legal practice and in particular excluding postage, telephone charges (non STD) and courier expenses.

NOTES:

- A** If a witness is released before or is required to first attend after the luncheon break on any day, half a day will be allowed.
- B** Where a party intends to serve a claim by means other than post, e-mail or fax a disbursement equal to the amount a Sheriff is entitled to receive for serving a claim form is allowed, but if the process is returned to the Court unserved, or is served by post, e-mail or fax, the disbursement must be disallowed unless a Registrar is satisfied that the party made reasonable efforts to serve the claim by means other than post, e-mail or fax.
- C** The costs allowed in this scale do not include Goods and Services Tax (GST) which is to be added except in the following circumstances:

The GST should not be included in a claim for costs in a party/party Bill of Costs if the receiving party is able to recover the GST as an input tax credit. Where the receiving party is able to obtain an input tax credit for a proportion of GST only, only the portion which is not eligible for credit should be claimed in the party/party bill.

SCALE 3: MINOR CIVIL ACTIONS

ITEM	\$0-\$1,000	\$1,001-\$3,000	\$3,001-\$6,000
1 Filing an action (if prepared and filed by a solicitor)	\$20 plus 11% up to a maximum of \$264		
2 P I particulars	\$50	\$90	\$150
3 Any attendance at Court by party or solicitor (where solicitor is entitled to attend)	\$50	\$60	\$75
4 Witness fees	\$45	\$60	\$75
	[or actual charge by witness if allowed by Court]		
5 Filing and serving a summons to witness	\$45	\$45	\$45
6 Request for Investigation/ Examination summons including attendance at the hearing	\$45	\$60	\$75
7 Any other request (Form 18) for enforcement of judgment	\$45	\$45	\$45
8 All other Court fees	As allowed by the Court		
9 Other disbursements	As allowed by the Court		
10 To advise on a compromise or settlement for a person under disability -			
(a) Where quantum only is in dispute			
(b) Where quantum and liability are in dispute	\$165	\$165	\$165
	\$330	\$330	\$330

NOTES :

- A** For the purpose of item 1 the costs calculated must be rounded up to the nearest dollar.
- B** Debt collecting fees in addition to the above amounts are not allowed.

- C** Where a party intends to serve a claim by means other than post, e-mail or fax a disbursement equal to the amount a Sheriff is entitled to receive for serving a claim form is allowed, but if the process is returned to the Court unserved, or is served by post, e-mail or fax, the disbursement must be disallowed unless a Registrar is satisfied that the party made reasonable efforts to serve the claim by means other than post, e-mail or fax.
- D** The costs allowed in this scale do not include Goods and Services Tax (GST) which is to be added except in the following circumstances:

The GST should not be included in a claim for costs in a party/party Bill of Costs if the receiving party is able to recover the GST as an input tax credit. Where the receiving party is able to obtain an input tax credit for a proportion of GST only, only the portion which is not eligible for credit should be claimed in the party/party bill.

- C** The Court may allow any larger or lesser amount for any item and any amount in respect of any other matter that the Court allowed at the time of making any order.
- D** For the purpose of determining the applicable scale, any cents must be rounded up to the next dollar and unless the Court orders to the contrary any interest component in the judgment sum will be excluded.
- E** The costs allowed in this scale do not include Goods and Services Tax (GST) which is to be added except in the following circumstances:

The GST should not be included in a claim for costs in a party/party Bill of Costs if the receiving party is able to recover the GST as an input tax credit. Where the receiving party is able to obtain an input tax credit for a proportion of GST only, only the portion which is not eligible for credit should be claimed in the party/party bill.

Form 17

**PLEASE READ CAREFULLY
IMPORTANT NOTICE**

The enclosed document is from the MAGISTRATES COURT [CIVIL DIVISION].

If it is a CLAIM and if you do nothing the other side may get a judgment against you which can be enforced against YOU, your HOUSE and your POSSESSIONS.

If you want to defend the claim [DEFENCE] or blame someone else [THIRD PARTY CLAIM], or [COUNTER CLAIM] you only have 21 days to go to the MAGISTRATES COURT and file the necessary documents.

If it is a SUMMONS you must go to the NOMINATED COURT WHEN IT SAYS OR YOU MAY BE ARRESTED.

If it is any other document you must find out what it says because your house, possessions or yourself may be affected by it if you do nothing.

FOR INFORMATION go to:

- * A Magistrates Court – the staff will explain it to you. See the address for “TRIAL COURT” on the other paper or go to the 1st Floor, 260-280 Victoria Square, Adelaide SA 5000.
- * Interpreter Service – Interpreting and Translating Centre, 24 Flinders Street, Adelaide SA 5000.
Telephone: (08) 8226 1990 – (This service is not free).
- * Legal Services Commission – 82 Wakefield Street, Adelaide SA 5000
Telephone: (08) 8463 3555 or see under “L” in Telephone Book.
- * A solicitor or the Law Society of South Australia.
Telephone (Law Society): (08) 8231 9972.

PLEASE BRING THE ENCLOSED DOCUMENT WITH YOU

第17号表

CHINESE

**请认真阅读
重要通知**

后附文件由初级[民事]法庭送发。

如果当事人在收到诉讼文书后没有采取任何行动，对方当事人则有可能获得不利于当事人本人、房产和财产的判决。如果当事人决定答辩[抗辩]或起诉其他人[第三方诉讼请求]或进行[反诉]，当事人应于二十一日内向初级法庭提交相关文件材料。

当事人收到传票后，必须于规定之日期前往指定法庭应诉，如缺席不到者，有可能会被刑事拘留。

如果随信还附有其他文件，当事人应了解文件的内容。因为如果当事人没有采取任何行动，其房产、财产或个人有可能会受到影响。

如需详情，请联系：

- * 阿得雷德初级法庭—工作人员将会为您解释有关信息。法庭地址：1st Floor, 260-280 Victoria Square, Adelaide SA 5000或在报纸上寻找“审判庭”地址。
- * 翻译服务—口译和笔译中心 地址：24 Flinders Street, Adelaide SA 5000
联系电话：(08) 8226 1990 (有偿服务)
- * 法律援助委员会—委员会地址：82 Wakefield Street, Adelaide SA 5000
联系电话：(08) 8463 3555或查询电话簿“L”栏。
- * 事务律师或南澳州法律协会
联系电话：(08) 8231 9972

请随身携带后附文件

Formular 17

CROATIAN

**MOLIMO PAŽLJIVO PROČITAJTE
VAŽNA OBAVIJEST**

Priloženi dokument je iz SUDA ZA PREKRŠAJE (MAGISTRATES COURT) [CIVIL DIVISION (GRADANSKI ODJEL)].

Ukoliko se radi o ZAHTJEVU (CLAIM) i ukoliko ne učinite ništa druga strana može dobiti presudu protiv vas koja će biti gonjena protiv VAS, vaše KUĆE i vaše IMOVINE.

Ukoliko se želite braniti od zahtjeva [OBRANA] ili optužiti nekog drugog [ZAHTJEV OD TREĆE OSOBE (THIRD PARTY CLAIM)], ili [PROTUZAHTJEV (COUNTER CLAIM)] imate samo 21 dan da idete na SUD ZA PREKRŠAJE (MAGISTRATES COURT) i da podnesete neophodne dokumente.

Ukoliko se radi o SUDSKOM POZIVU (SUMMONS) morate pristupiti NAVEDENOM SUDU U ZAKAZANO VRIJEME ILI MOŽETE BITI PRIVEDENI.

Ukoliko se radi o bilo kojem drugom dokumentu morate pronaći što tamo piše jer vaša kuća, imovina ili vi sami možete biti u opasnosti ako ništa ne učinite.

ZA INFORMACIJU idite na:

- * SUD za prekršaje (Magistrates Court) – osoblje će vam sve objasniti. Vidite adresu za “TRIAL COURT (SUDSKI POSTUPAK)” na drugom listu ili idite na 1st Floor, 260-280 Victoria Square, Adelaide SA 5000.
- * Služba Tumačenja – Interpreting and Translating Centre, 24 Flinders Street, Adelaide SA 5000.
Telefon: (08) 8226 1990 – (Ova usluga nije besplatna).
- * Komisija za pravne usluge (Legal Services Commission) – 82 Wakefield Street, Adelaide SA 5000
Telefon: (08) 8463 3555 ili vidite pod “L” u telefonskom imeniku.
- * Pravnici ili Pravno Društvo u Južnoj Australiji (Law Society of South Australia).
Telefon (Law Society): (08) 8231 9972.

MOLIMO DONESITE PRILOŽENI DOKUMENT SA VAMA

Έντυπο 17

GREEK

ΠΑΡΑΚΑΛΟΥΜΕ ΔΙΑΒΑΣΤΕ ΠΡΟΣΕΚΤΙΚΑ**ΣΗΜΑΝΤΙΚΗ ΕΙΔΟΠΟΙΗΣΗ**

Το εσώκλειστο έγγραφο είναι από το ΕΙΡΗΝΟΔΙΚΕΙΟ [ΠΟΛΙΤΙΚΗ ΔΙΚΑΙΟΔΟΣΙΑ] [MAGISTRATES COURT (CIVIL DIVISION)].

Αν είναι ΑΠΑΙΤΗΣΗ και αν δεν κάνετε κάτι η άλλη πλευρά μπορεί να κερδίσει απόφαση εναντίον σας η οποία μπορεί να επιβληθεί εναντίον ΣΑΣ, του ΣΠΙΤΙΟΥ σας και των ΥΠΑΡΧΟΝΤΩΝ σας.

Αν θέλετε να υπερασπίσετε την απαίτηση (ΥΠΕΡΑΣΠΙΣΗ) ή να πείτε ότι φταίει κάποιος άλλος [ΑΠΑΙΤΗΣΗ ΤΡΙΤΟΥ ΜΕΡΟΥΣ], ή να καταχωρήσετε [ΑΝΤΑΠΑΙΤΗΣΗ] έχετε μόνο 21 ημέρες για να πάτε στο ΕΙΡΗΝΟΔΙΚΕΙΟ (MAGISTRATES COURT) και να καταθέσετε τα αναγκαία έγγραφα.

Αν είναι ΚΛΗΣΗ πρέπει να πάτε στο ΟΝΟΜΑΖΟΜΕΝΟ ΔΙΚΑΣΤΗΡΙΟ ΟΤΑΝ ΛΕΕΙ Ή ΜΠΟΡΕΙ ΝΑ ΣΥΛΛΗΦΘΕΙΤΕ.

Αν είναι οποιοδήποτε άλλο έγγραφο πρέπει να μάθετε τι λέει γιατί το σπίτι σας, τα υπάρχοντά σας ή εσείς μπορεί να επηρεαστήτε από αυτό αν δεν κάνετε κάτι.

ΓΙΑ ΠΛΗΡΟΦΟΡΙΕΣ ΝΑ ΠΑΤΕ:

- * Σε Ειρηνοδικείο – το προσωπικό θα σας εξηγήσει. Δείτε τη διεύθυνση για το «ΔΙΚΑΣΤΗΡΙΟ ΟΠΟΥ ΘΑ ΓΙΝΕΙ Η ΔΙΚΗ» (TRIAL COURT) στην άλλη σελίδα ή να πάτε στο 1^ο Όροφο, 260-280 Victoria Square, Adelaide SA 5000.
- * Στην Υπηρεσία Διερμηνείας – Κέντρο Διερμηνείας και Μετάφρασης (Interpreting and Translating Centre), 24 Flinders Street, Adelaide SA 5000. Τηλέφωνο: (08) 8226 1990 – (Η υπηρεσία αυτή δεν είναι δωρεάν).
- * Στην Επιτροπή Νομικών Υπηρεσιών (Legal Services Commission) – 82 Wakefield Street, Adelaide SA 5000
Τηλέφωνο: (08) 8463 3555 ή κοιτάξτε στο “L” στον Τηλεφωνικό Κατάλογο. .
- * Σε Δικηγόρο ή στο Σύλλογο Δικηγόρων Νότιας Αυστραλίας (Law Society).
Τηλέφωνο (Law Society): (08) 8231 9972.

ΣΑΣ ΠΑΡΑΚΑΛΟΥΜΕ ΝΑ ΦΕΡΕΤΕ ΜΑΖΙ ΣΑΣ ΤΟ ΕΣΩΚΛΕΙΩΜΕΝΟ ΕΓΓΡΑΦΟ

Form 17

ITALIAN

**VI PREGHIAMO DI LEGGERE ATTENTAMENTE
AVVISO IMPORTANTE**

Il documento allegato è emesso dal tribunale civile (MAGISTRATES COURT CIVIL DIVISION).

Se è una rivendicazione (CLAIM) e voi non fate niente l'altra parte può ottenere un giudizio contro di voi che può essere eseguito contro di VOI, la vostra CASA e il vostro PATRIMONIO.

Se volete difendervi contro la rivendicazione (DEFENCE) o accusare qualcun'altro (THIRD PARTY CLAIM o COUNTER CLAIM) avete solo 21 giorni entro cui depositare presso il tribunale i documenti necessari.

Se è un mandato di comparizione (SUMMONS) dovete presentarvi ALL'AULA DEL TRIBUNALE NOMINATA IL GIORNO INDICATO ALTRIMENTI POTRETE ESSERE ARRESTATI.

Se è un altro tipo di documento dovete cercare di capire cosa vuol dire perchè potrebbe avere effetti sulla vostra casa, sul vostro patrimonio o su di voi se non fate nulla.

PER AVERE INFORMAZIONI rivolgetevi a:

- * Un tribunale – il personale ve lo spiegherà. Guardate l'indirizzo di "TRIAL COURT" sull'altro foglio o andate al primo piano di 260-280 Victoria Square, Adelaide SA 5000.
- * Il servizio interpreti – Interpreting and Translating Centre, 24 Flinders Street, Adelaide SA 5000. Telefono: (08) 8226 1990 – (Questo servizio non è gratuito).
- * La commissione per i servizi legali - Legal Services Commission – 82 Wakefield Street, Adelaide SA 5000 Telefono: (08) 8463 3555 o guardate sotto "L" nella guida telefonica.
- * Un avvocato o l'associazione degli avvocati - Law Society of South Australia. Telefono (Law Society): (08) 8231 9972.

RICORDATEVI DI PORTARE CON VOI IL DOCUMENTO ALLEGATO

PERSIAN

فرم شماره ۱۷

**لطفا با دقت مطالعه کنید
اعلان مهم**

مدرک ضمیمه از طرف دادگاه دادرسی (شاخه مدنی) میباشد. اگر این یک دعوی علیه شماست (Claim) و شما هیچ کاری انجام ندهید، طرف مقابل (مدعی) ممکن است قضاوتی علیه شما اخذ نماید که در مورد شما، خانه و یا دارایی تان به اجرا گذاشته شود. اگر شما می خواهید در مقابل این ادعا از خود دفاع نموده و یا شخص دیگری را مقصر معرفی نمایید (شکایت از شخص ثالث) و یا بر علیه شخص مقابل شکایت نمایید، فقط ۲۱ روز فرصت دارید که به دادگاه رفته و مدارک لازم را ارائه نمایید. اگر این یک احضاریه است (Summons)، شما باید در زمان مقرر به دادگاه مشخص شده مراجعه نمایید. در غیر اینصورت ممکن است بازداشت شوید. در صورتی که مدرک ضمیمه هر گونه مدرک دیگری است، باید از محتوای آن آگاه شوید زیرا در صورتی که اقدامی ننمایید، ممکن است بر روی خانه، دارایی و یا خود شما تاثیر گذارد. برای کسب اطلاعات بیشتر می توانید به مراجع زیر مراجعه نمایید:

* دادگاه دادرسی که کارکنان در مورد مدرک ضمیمه به شما توضیح خواهند داد. آدرس دادگاه حاکمه در برگه دیگری نوشته شده است یا می توانید مراجعه نمایید به آدرس: 1st Floor, 260-280 Victoria Square, Adelaide SA 5000

* خدمات مترجم شفاهی – مرکز ترجمه شفاهی و کتبی به آدرس: 24 Flinders Street, Adelaide SA 5000
تلفن: ۰۸-۸۲۲۶۱۹۹۰
(این خدمات مجانی نمیباشد)

* کمیسیون خدمات قانونی به آدرس: 82 Wakefield Street, Adelaide SA 5000
تلفن: ۰۸-۸۴۶۳۳۵۵ (یا به قسمت حرف L در کتاب راهنمای تلفن مراجعه نمایید)

* وکیل و یا جامعه حقوقی جنوب استرالیا:
تلفن (جامعه قانونی): ۰۸-۸۲۳۱۹۹۷۲

لطفا مدرک ضمیمه را به همراه داشته باشید

Формулар 17

SERBIAN

**МОЛИМО ПРОЧИТАЈТЕ ПАЖЉИВО
ВАЖНО ОБАВЕШТЕЊЕ**

Приложени документ је из СУДА ЗА ЛАКШЕ ПРЕКРШАЈЕ [ГРАЂАНСКО ОДЕЛЕЊЕ].

Ако је подигнута ЖАЛБА против вас и ви ништа не учините друга страна може да добије пресуду против вас која може да постане правоснажна против ВАС, ваше КУЋЕ и ваше ИМОВИНЕ.

Ако желите да се браните [ОДБРАНА] или да окривите неког другог [ЖАЛБА ПРОТИВ ТРЕЋЕ ПАРТИЈЕ], или [ПРОТУЖАЛБА] имате само 21 дан да одете у СУД ЗА ЛАКШЕ ПРЕКРШАЈЕ и поднесете одговарајуће пријаве.

Ако добијете ПОЗИВ ЗА СУД морате да одете у НАВЕДЕНИ СУД У ВРЕМЕ КАД ЈЕ НАВЕДЕНО ИЛИ МОЖЕТЕ ДА ОДЕТЕ У ЗАТВОР.

Ако добијете било какво друго обавештење морате да се распитате у вези чега је, јер ако ништа не учините то може да утиче на вашу кућу, имовину или на вас.

ЗА ИНФОРМАЦИЈЕ обратите се:

- * Суду за лакше прекршаје- Magistrates Court – особље ће вам објаснити. Погледајте адресу за “ ПРОБНИ СУД” на другом папиру или отиђите на 1 спрат, 260-280 Victoria Square, Adelaide SA 5000.
- * Преводачкој служби - Interpreter Service – Interpreting and Translating Centre, 24 Flinders Street, Adelaide SA 5000.
Телефон: (08) 8226 1990 – (Ова служба није бесплатна).
- * Комисији за правне услуге - Legal Services Commission – 82 Wakefield Street, Adelaide SA 5000
Телефон: (08) 8463 3555 или погледајте под словом “L” у телефонском именику..
- * Адвокату или Удружењу адвоката - Law Society of South Australia.
Назовите (Law Society): (08) 8231 9972.

МОЛИМО ДА ДОНЕСЕТЕ ПРИЛОЖЕНО ОБАВЕШТЕЊЕ СА СОБОМ

Mẫu Văn Kiện 17

VIETNAMESE

**XIN HÃY ĐỌC KỸ
THÔNG BÁO QUAN TRỌNG**

Văn kiện kèm theo đây phát xuất từ TÒA SỞ THẨM [CHI VỤ DÂN LUẬT] (MAGISTRATES COURT [CIVIL DIVISION]).

Nếu là một văn kiện liên quan đến một trường hợp tố tụng ĐÒI QUYỀN LỢI TRƯỚC TÒA và nếu quý vị không có hành động đáp ứng nào cả thì phía đối tụng có thể xin tòa phán quyết đối nghịch với quý vị, phán quyết này có thể được thi hành đối nghịch với QUÍ VỊ, qua giá trị CĂN NHÀ của quý vị và CỦA CÁI THUỘC SỞ HỮU QUYỀN của quý vị.

Nếu quý vị muốn biện hộ cho mình trong trường hợp tố tụng đòi quyền lợi đó [QUYỀN BIỆN HỘ CỦA BỊ ĐƠN (DEFENCE)] hoặc quy kết trách nhiệm pháp lý cho một người nào khác [KHIẾU KIỆN ĐỀ TAM NHÂN (THIRD PARTY CLAIM)], hoặc [PHẢN TỐ (COUNTER CLAIM)] thì quý vị chỉ có 21 ngày để đi đến TÒA SỞ THẨM và đệ trình các văn kiện cần thiết.

Nếu văn kiện là một TRÁT ĐÒI HẦU TÒA thì quý vị phải đi đến TÒA ÁN ĐƯỢC CHỈ ĐỊNH VÀO NGÀY GIỜ GHI TRONG TRÁT TÒA BẰNG KHÔNG QUÍ VỊ CÓ THỂ BỊ BẮT GIAM.

Nếu là bất cứ một văn kiện nào khác thì quý vị phải tìm hiểu ý nghĩa của nội dung văn kiện bởi vì căn nhà của quý vị, của cái thuộc quyền sở hữu của quý vị hoặc chính bản thân quý vị có thể bị ảnh hưởng bởi văn kiện đó nếu quý vị không có hành động đáp ứng nào cả.

ĐỂ BIẾT THÊM CHI TIẾT quý vị hãy đến:

- * Một Tòa Án Sơ Thẩm - nhân viên tòa án sẽ giải thích nội dung của văn kiện cho quý vị. Quý vị hãy xem địa chỉ của “TÒA ÁN XÉT XỬ” (TRIAL COURT) trên tờ giấy khác để đi đến Tầng Lầu 1 (1st Floor), 260 - 280 Victoria Square, Adelaide SA 5000.
- * Dịch Vụ Thông Dịch Viên – (Trung Tâm Thông Phiên Dịch) Interpreting and Translating Centre, 24 Flinders Street, Adelaide SA 5000.
Điện thoại: (08) 8226 1990 – (Đây không phải là một dịch vụ miễn phí).
- * Hội Đồng Dịch Vụ Pháp Lý (Legal Services Commission) – 82 Wakefield Street, Adelaide SA 5000
Điện thoại: (08) 8463 3555 hoặc hãy xem phân danh mục dưới mẫu tự “L” trong Niên Giám Điện Thoại (Telephone Book).
- * Một luật sư hoặc Hội Luật Gia Tiểu Bang Nam Úc (the Law Society of South Australia).
Điện thoại (Hội Luật Gia): (08) 8231 9972.

XIN HÃY ĐEM THEO VĂN KIẾN ĐÃ ĐƯỢC GỬI ĐẾN QUÍ VỊ

RULES OF COURT
Magistrates Court of South Australia
Addendum to Amendment 36 to the Magistrates
Court Rules 1992

PURSUANT to section 49 of the *Magistrates Court Act 1991* and all other enabling powers, we the undersigned do hereby make the following amendments to the MAGISTRATES COURT RULES 1992, as amended:

1. Delete clause 4 of Amendment 36 in its entirety.
2. Delete the following text from clause 5 of Amendment 36:
 - Third Schedule: Costs (Civil) Witness Fees and Disbursements, Scale 2: Complex Actions and Witness Fees and Disbursements, Scale 3: Minor Civil Actions and Scale 4: Workers Liens, Charging Orders and Warrants of Sale.

Signed on the 29th day of November 2010 by:

Elizabeth Mary Bolton
Chief Magistrate

Andrew James Cannon
Deputy Chief Magistrate

Kym Andrew Millard
Stipendiary Magistrate

Simon Hugh Milazzo
Stipendiary Magistrate

RULES OF COURT
Magistrates Court of South Australia
Addendum to Amendment 37 to the Magistrates
Court Rules 1992

PURSUANT to section 49 of the Magistrates Court Act 1991 and all other enabling powers, we the undersigned do hereby make the following amendments to the MAGISTRATES COURT RULES 1992, as amended:

- The current form 83 is deleted and the new form 83 is inserted;
- The current form 84 is deleted and the new form 84 is inserted.

Signed on the 19th day of November 2010 by:

Elizabeth Mary Bolton
Chief Magistrate

Andrew James Cannon
Deputy Chief Magistrate

Kym Andrew Millard
Stipendiary Magistrate

Simon Hugh Milazzo
Stipendiary Magistrate

Details of Clamping or Impounding
 Court Order was made: Court File Number:
 Date of Order:
 Details of Order made under Part 2 or Part 3:

Previous Prescribed Offences Alleged
 Details of Offence: Date of Offence:
 Date of Conviction:
 Court File Numbers:

[Insert extra pages if necessary]

I advise the Court that at the time of making this application, the following person/s had an interest in this vehicle:

Name: Address:
 Phone: Nature of interest:

.....
Applicant *Date*

[Insert extra pages if necessary]

Hearing Date Registry: Date:
 Address Time:am/pm

.....
Telephone *Facsimile* *E-mail Address*

.....
Date *Registrar*

If you do not attend on the hearing date, or any adjourned hearing date, orders may be made in your absence. You may request to make representations to the Court relating to the application at this hearing date.

Notice to the Registrar:

All registered owners, holders of any secured interests or people who claim ownership of the motor vehicle or are likely to suffer financial or physical hardship as a result of the making of the order must be served with this application and notice of the hearing date. If the application is made pursuant to s 21, the application and notice must also be served on the Commissioner of Police (if the order was made under Part 2) or the Sheriff (if the order was made under Part 3).

I certify that I have served a copy of this notice on the parties listed above.

Date:

Signature:
 (Registrar – Trial Court)



**ORDER TO EXTEND CLAMPING PERIOD or
ORDER FOR IMPOUNDING OR FORFEITURE OF MOTOR VEHICLE**
Magistrates Court of South Australia

www.courts.sa.gov.au

Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007
– Sections 7(1) and 12(1)

Registry: Court File No:

Applicant:
Name: ID No:
Surname Given Name
Address:
Street City/Town/Suburb
State Postcode Phone Number

Person against whom the order is to be made:
Name: Reference:
Surname Given Name
Address: DOB:
Street Telephone dd/mm/yy
City/Town/Suburb State Postcode E-mail Address

Details of the Motor Vehicle:
Make: Model:
Year of Manufacture: Registration Number:
Engine Number: Vehicle Identification Number:
Garaging Address:

Details of this Order:

Extension of clamping period (section 7(1))

I, the undersigned, am satisfied that the abovementioned vehicle was used in the commission of a prescribed offence and the said vehicle shall remain clamped for a further period of days from/...../.....

OR

Impounding of motor vehicle for (not exceeding) 6 months (section 12(1)(b)(i))

I, the undersigned, am satisfied that has on the/...../..... been found guilty of a prescribed offence, namely

I, the undersigned, am also satisfied that the defendant has been found guilty of, or expiated one other prescribed offence committed within 10 years of the date of the above prescribed offence.

I order that the motor vehicle be impounded by the Sheriff for a period ofdays/months commencing from the date of seizure. Pursuant to Section 12(5) of the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*, I order the relevant authority to seize the above-mentioned vehicle and deal with it in accordance with Parts 4 and 5 of the Act.

Pursuant to Section 12(5) of the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*, I order the relevant authority to seize the above-mentioned vehicle and deal with it in accordance with Parts 4 and 5 of the said Act.

OR

Forfeiture of motor vehicle (sections 12(1)(a)(i),(ii), (iii))

I, the undersigned, am satisfied that has on the/...../..... been found guilty of a prescribed offence namely I order that the motor vehicle is forfeited to the Crown.

I, the undersigned, am satisfied that the defendant has, within 10 years of the date of the offence, been found guilty of, or expiated **one or more previous prescribed offences** occurring on I order that the motor vehicle is forfeited to the Crown.

Pursuant to Section 12(5) of the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007* I order the relevant authority to seize the above-mentioned vehicle and deal with it in accordance with Parts 4 and 5 of the said Act.

AND

Pursuant to Section 12(4) of the said Act, I made the following ancillary orders that the convicted person will

[Delete if inapplicable]

Pursuant to Section 12(1)(1a) of the Act, I order that the convicted person pay to the relevant authority, fees calculated in accordance with the *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Regulations 2007*, in relation to the impounding and or forfeiture of the motor vehicle.

[Delete if inapplicable]

DATE OF ORDER/...../.....

Magistrate

REGISTRY OF ISSUE:

I certify that I have served a copy of this notice on all parties who have an interest in the motor vehicle.

Date:

Signature: