###### Form 7 Court Copy

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| Western AustraliaCriminal Procedure Act 2004 Industrial Magistrates Court at  No: |  |  | **Application to set aside decision made in absence of a party** |

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| Case  *(Names of all parties)* |  |

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| Applicant  *(Name of the party applying)* | Name |  |
| Address |  |
| **Application** | Under the *Criminal Procedure Act 2004* section 71, the applicant applies for an order that sets aside the decision specified below and that orders the charge specified below to be dealt with again. | |

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| **Licence**  **disqualification**  **order,**  **suspension of** | *Tick the box if you are applying under the Criminal Procedure Act 2004 section 71(3).* | | | | | | | |
| Under the *Criminal Procedure Act 2004* section 71(3) the applicant applies for an order that suspends the court’s order disqualifying the accused from holding or obtaining a licence under a written law, until the above application is decided. | | | | | | | |
| Decision details | Court | | At No. | | | | | |
| Date | |  | | | | | |
| **Grounds**  [You must lodge an affidavit verifying these grounds.]  [Tick one box] | The grounds for this application are:  I did not receive notice of the court date on which the above decision was made.  I did not receive notice of the court date on which the above decision was made, in enough time to enable me to appear.  I did receive notice of the court date on which the above decision was made, but I did not appear for these reasons: | | | | | | | |
| **Signature of applicant or lawyer** |  | | | | | Date | |  |
|  |  | | | | |  | |  |
| **HEARING DETAILS**  **This application will be heard on:** | | | | | | | | |  |
| **Date and time** | | Date | |  | Time | | or as soon after as possible,  at | |
| **Place** | |  | | | | | | |

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| ***For Court Use Only*** | | | | | | | | | |
| Date | | Appearance by accused | | Counsel | | Record of court proceedings | | Judicial officer | |
|  | Y / N | |  | |  | | | |  |
|  | Y / N | |  | |  | | | |  |
|  | Y / N | |  | |  | | | |  |
|  | Y / N | |  | |  | | | |  |
| Orders | | | | | | | | | |
| Judicial officer | | | | | | | Date | | |

###### Form 7 Copy for applicant to retain

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| Western AustraliaCriminal Procedure Act 2004 Industrial Magistrates Court at  No: |  |  | **Application to set aside decision made in absence of a party** |

|  |  |
| --- | --- |
| Case  *(Names of all parties)* |  |

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| --- | --- | --- |
| Applicant  *(Name of the party applying)* | Name |  |
| Address |  |
| **Application** | Under the *Criminal Procedure Act 2004* section 71, the applicant applies for an order that sets aside the decision specified below and that orders the charge specified below to be dealt with again. | |

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| **Licence**  **disqualification**  **order,**  **suspension of** | *Tick the box if you are applying under the Criminal Procedure Act 2004 section 71(3).* | | | | | | | |
| Under the *Criminal Procedure Act 2004* section 71(3) the applicant applies for an order that suspends the court’s order disqualifying the accused from holding or obtaining a licence under a written law, until the above application is decided. | | | | | | | |
| Decision details | Court | | At No. | | | | | |
| Date | |  | | | | | |
| **Grounds**  [You must lodge an affidavit verifying these grounds.]  [Tick one box] | The grounds for this application are:  I did not receive notice of the court date on which the above decision was made.  I did not receive notice of the court date on which the above decision was made, in enough time to enable me to appear.  I did receive notice of the court date on which the above decision was made, but I did not appear for these reasons: | | | | | | | |
| **Signature of applicant or lawyer** |  | | | | | Date | |  |
|  |  | | | | |  | |  |
| **HEARING DETAILS**  **This application will be heard on:** | | | | | | | | |  |
| **Date and time** | | Date | |  | Time | | or as soon after as possible,  at | |
| **Place** | |  | | | | | | |

###### Form 7 Copy for service of respondent

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| Western AustraliaCriminal Procedure Act 2004 Industrial Magistrates Court at  No: |  |  | **Application to set aside decision made in absence of a party** |

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| --- | --- |
| Case  *(Names of all parties)* |  |

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| Applicant  *(Name of the party applying)* | Name |  |
| Address |  |
| **Application** | Under the *Criminal Procedure Act 2004* section 71, the applicant applies for an order that sets aside the decision specified below and that orders the charge specified below to be dealt with again. | |

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| **Licence**  **disqualification**  **order,**  **suspension of** | *Tick the box if you are applying under the Criminal Procedure Act 2004 section 71(3).* | | | | | | | |
| Under the *Criminal Procedure Act 2004* section 71(3) the applicant applies for an order that suspends the court’s order disqualifying the accused from holding or obtaining a licence under a written law, until the above application is decided. | | | | | | | |
| Decision details | Court | | At No. | | | | | |
| Date | |  | | | | | |
| **Grounds**  [You must lodge an affidavit verifying these grounds.]  [Tick one box] | The grounds for this application are:  I did not receive notice of the court date on which the above decision was made.  I did not receive notice of the court date on which the above decision was made, in enough time to enable me to appear.  I did receive notice of the court date on which the above decision was made, but I did not appear for these reasons: | | | | | | | |
| **Signature of applicant or lawyer** |  | | | | | Date | |  |
|  |  | | | | |  | |  |
| **HEARING DETAILS**  **This application will be heard on:** | | | | | | | | |  |
| **Date and time** | | Date | |  | Time | | or as soon after as possible,  at | |
| **Place** | |  | | | | | | |

###### Form 7 Return of service copy

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| Western AustraliaCriminal Procedure Act 2004 Industrial Magistrates Court at  No: |  |  | **Application to set aside decision made in absence of a party** |

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| --- | --- |
| Case  *(Names of all parties)* |  |

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| --- | --- | --- |
| Applicant  *(Name of the party applying)* | Name |  |
| Address |  |
| **Application** | Under the *Criminal Procedure Act 2004* section 71, the applicant applies for an order that sets aside the decision specified below and that orders the charge specified below to be dealt with again. | |

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| **Licence**  **disqualification**  **order,**  **suspension of** | *Tick the box if you are applying under the Criminal Procedure Act 2004 section 71(3).* | | | | | | | |
| Under the *Criminal Procedure Act 2004* section 71(3) the applicant applies for an order that suspends the court’s order disqualifying the accused from holding or obtaining a licence under a written law, until the above application is decided. | | | | | | | |
| Decision details | Court | | At No. | | | | | |
| Date | |  | | | | | |
| **Grounds**  [You must lodge an affidavit verifying these grounds.]  [Tick one box] | The grounds for this application are:  I did not receive notice of the court date on which the above decision was made.  I did not receive notice of the court date on which the above decision was made, in enough time to enable me to appear.  I did receive notice of the court date on which the above decision was made, but I did not appear for these reasons: | | | | | | | |
| **Signature of applicant or lawyer** |  | | | | | Date | |  |
|  |  | | | | |  | |  |
| **HEARING DETAILS**  **This application will be heard on:** | | | | | | | | |  |
| **Date and time** | | Date | |  | Time | | or as soon after as possible,  at | |
| **Place** | |  | | | | | | |

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| **Service details**  [Service on applicant] | On , I served a copy of the application referred to above in the following manner:  Method of service:  Person served:  Name of server: Signature: |
| **Service details**  [Service on respondent] | On , I served a copy of the application referred to above in the following manner:  Method of service:  Person served:  Name of server: Signature: |