######  Form 7 Court Copy

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| Western AustraliaCriminal Procedure Act 2004 Industrial Magistrates Court atNo: |  |  | **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** |  |

|  |
| --- |
| ***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 atNo: |  |  | **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 atNo: |  |  | **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 Return of service copy

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| Western AustraliaCriminal Procedure Act 2004 Industrial Magistrates Court atNo: |  |  | **Application to set aside decision made in absence of a party** |

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

|  |  |  |
| --- | --- | --- |
| 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. |

|  |  |
| --- | --- |
| **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:  |