Form 75

Rules 33.12(1); 33.34; 33.40

Notice of appeal from a tribunal

No.       of 20

Federal Court of Australia

District Registry: [State]

Division: [Division]

On appeal from the [insert name of Tribunal]

**[Name of First Applicant]** [if 2 or more add "and [another/others] named in the schedule"]

Applicant[s]

**[Name of First Respondent]** [if 2 or more add "and [another/others] named in the schedule"]

Respondent[s]

To the Respondent

The Applicant appeals from the decision as set out in this notice of appeal.

The Court will hear this appeal, or make orders for the conduct of the proceeding, at the time and place stated below. If you or your lawyer do not attend, then the Court may make orders in your absence.

You must file a notice of address for service (Form 10) in the Registry before attending Court or taking any other steps in the proceeding.

**Time and date for hearing**: [Registry will insert time and date]

**Place**: [address of Court]

The Court ordered that the time for serving this application be abridged to [Registry will insert date, if applicable].

Date:

|  |
| --- |
| Signed by an officer acting with the authority of the District Registrar |

The Applicant appeals from the decision of [specify Tribunal below] given on [date] at [place].

The Tribunal decided [specify decision appealed from].

The Applicant appeals from [specify the part of the decision you appeal from or contend should be varied].

**Questions of law**

1. [specify the precise question or questions of law to be raised on the appeal].
2.

[\*Delete this section if you are not asking the Court to make findings of fact. The Court can make findings of fact only in limited circumstances— see subsections 177(1) & (2)) of *Administrative Review Tribunal Act 2024* (Cth)]

**Findings of fact that the Court is asked to make**

1. [specify each finding].
2.

**Orders sought**

1. [specify the relief sought instead of the decision appealed from or the variation of the decision that is sought]
2.

**Grounds relied on**

1. [state briefly but specifically, the grounds relied on in support of the relief or variation you seek]
2.

**Applicant’s address**

The Applicant’s address for service is:

Place: [see rule 11.01]

Email:

The Applicant’s address is [if the Applicant is an individual - place of residence or business; if the Applicant is a corporation - principal place of business].

**Service on the Respondent**

[Select one of these 3 options and delete others]
[\*]It is intended to serve this application on all Respondents.

[\*or]It is intended to serve this application on the following Respondents:

[name of each Respondent on whom application is to be served]

[\*or]It is not intended to serve this application on any Respondent.

Date: [eg 19 June 20..]

|  |
| --- |
| Signed by [Name][Insert capacity: Applicant / Lawyer for the Applicant] |

[\*Delete this section if this is not migration litigation - rule 8.04]
**Certificate under section 486I of the Migration Act 1958**

For the purposes of section 486I of the *Migration Act 1958,* I [name of lawyer] certify that there are reasonable grounds for believing that this migration litigation (within the meaning of section 486K of that Act) has a reasonable prospect of success.

Date:

|  |
| --- |
| Signed by [Name of lawyer] |

*Note*

Rule 33.12(4) provides that the Applicant must serve a copy of the notice of appeal on each other party to the proceeding and the Registrar of the Tribunal.

[\* If more than one applicant, respondent, cross-claimant or cross-respondent, insert names of the second, third, fourth etc as required in this schedule. Delete schedule if not required.]

**Schedule**

No.       of 20

Federal Court of Australia

District Registry: [State]

Division: [Division]

[\*]**Applicants**

Second Applicant: [Name]

[\* etc]

[\*]**Respondents**

Second Respondent: [Name]

[\* etc]

[\*]**Cross-claimants**

Second Cross-claimant: [Name]

[\* etc]

[\*]**Cross-respondents**

Second Cross-respondent: [Name]

[\* etc]

Date:

[\*delete if inapplicable]