



Defendant's application for stay of civil proceeding

SECTIONS 9 AND 22, TRANS-TASMAN PROCEEDINGS ACT 2010 (NZ)

[Insert heading]

TO THE REGISTRAR OF THE

[New Zealand commencement court or tribunal]

at

[place]

AND TO

[name of other party/parties to be served with the application]

This document notifies you that the defendant

[name]

applies to the

[New Zealand commencement court or tribunal]

under section 22 of the Trans-Tasman Proceedings Act 2010 (NZ) (the Act) for a stay of the proceeding.

Delete if inapplicable—

The defendant requests under section 23(2) (b) of the Act that the

[New Zealand commencement court or tribunal]

determine the application with a hearing.

Memorandum for plaintiff and other people served with application

1. The defendant has applied to the

[New Zealand commencement court or tribunal]

for the proceeding to be stayed. If the proceeding is stayed, the plaintiff's claim cannot proceed in the

[New Zealand commencement court or tribunal].

2. If you want to oppose the application, you must file a notice of opposition in the

[New Zealand commencement court or tribunal]

within 10 working days after the day on which you are served with this application.

3. You are entitled to request the

[New Zealand commencement court or tribunal]

to hold a hearing of the application. You have 10 working days after the day the defendant made the application to request a hearing.

4. The

[New Zealand commencement court or tribunal]

may determine the application without a hearing if a hearing has not been requested by the defendant, the plaintiff, or any other person who is required or permitted, by regulations under section 23(5)(a) of the Act, to be served with the application.

5. The Trans-Tasman Proceedings Regulations and Rules 2013 (NZ) (available from www.legislation.govt.nz) contain a form (namely form 3) that you may use to request a hearing.