



Affidavit to accompany application for leave to appear remotely in civil proceeding

SECTIONS 8(1)(A) AND 38(1), TRANS-TASMAN PROCEEDINGS ACT 2010 (NZ)

[full name] _____, I,
[place of residence] _____

[occupation]

in connection with an application under section 38(1) of the Trans-Tasman Proceedings Act 2010 (NZ) (the Act) for leave to appear remotely in one or more hearings in or related to a civil proceeding, swear that—

1. The remote appearance(s) for which leave is sought _____ of the following nature:

[specify if known].

2. The remote appearance(s) _____ to be made from the following place(s) in Australia:

[specify if known].

3. The courtroom(s) or other place(s) where the court or tribunal is to sit in New Zealand as follows:

[specify if known].

4. The remote appearance(s) _____ proposed to be made by

5. The _____ facilities available at the courtroom(s) or other place(s) where the court or tribunal is to sit in New Zealand are as follows:

[specify if known].

6. The _____ facilities available at the place(s) in Australia from which the remote appearance(s) _____ to be made are as follows:

[specify if known].

7. I estimate that the time(s) that the remote appearance(s) will take _____ as follows:

[specify best estimate].

[Select the paragraph that applies]

8. Leave is not sought for the party's counsel to appear remotely (as well as, or instead of, the party) in one or more hearings in or related to the proceeding.

or

8. Leave is sought for the party's counsel to appear remotely (as well as, or instead of, the party) in or more hearings in or related to the proceeding and, in that connection, the following _____ are relevant:

- (a) the party's counsel _____ entitled (otherwise than under section 38(4) of the Act) to appear before the court or tribunal, or _____ not so entitled but, for the purposes of section 38(3) of the Act,—
- (i) the party ordinarily resides or, if the party is not an individual, has its principal place of business, in a State or Territory of Australia, namely at

[specify location]; and

- (ii) _____ is, given the following particulars, entitled to practise as a barrister, a solicitor, or both in the Supreme Court of a State or Territory of Australia:

[specify particulars of party's counsel's entitlement to practise];

and

- (b)

[specify any other relevant matter(s)].

Sworn at:

[place]

[date]

Signature of deponent:
