Guidance on Using the Notice of Opposition

Template

(Form 19 of the District Court Rules 2014)

About the Notice of Opposition

Use this template if you have been served with an interlocutory application, originating application, or application for summary judgment that you wish to oppose.

When opposing an interlocutory application or originating application you must file, and serve on every other party a copy of, this notice within 10 working days after being served with the application (or, if the hearing date for the application is within 10 working days, you must file and serve the notice at least 3 working days before the hearing date).

When opposing an application for summary judgment you must file, and serve on every other party a copy of, this notice at least 3 working days before the hearing date.

How to use the template

All the required fields are set out in the template on the following two pages.

The sections that you have to fill out are marked with red text. The red text explains what you need to put in. These are fillable form fields, so click on the red text and start typing. The red text will be replaced by the content that you type. If you want to leave the field blank, just enter a space.

The blue text is explanatory notes. Delete these notes before printing the form.

Formatting your form

Before printing the form, check the following:

That the pages are numbered. Numbering should at page 1 on the page after the cover page (i.e. the cover page should not be numbered). The template is set up to automatically number the pages in this matter.

You may print the form either single or double-sided. However, , the cover sheet must not be double sided. If you print double sided you must adjust the margins as follows:

* In the “Margins” section in Word, select “Custom Margins”. In the box that pops up, find the field called “Multiple pages”. Select “Mirror Margins” from the dropdown menu, and click OK.
* The wide margin should now be on the left of every front page, and on the right of every reverse page.

Once you have completed the form, print and sign it.

In the District Court

Choose an item. Registry

No: Enter the CIV number (court reference number) if known.

Under the: Enter the Act under which the proceeding is being brought (for example, “Fair Trading Act 1986”). Delete this line if not applicable.

In the matter of Enter in a few words what the dispute is about. For example, “a breach of contract”.

Between: Plaintiff’s full name, address and occupation.

(plaintiff)

And: Defendant’s full name, address and occupation.

(defendant)

Note: if there are more than two parties involved, list their names, addresses and occupations in the format above.

If there is a counterclaim, repeat the fields above for any counterclaim plaintiffs/defendants.

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Next event date: Next court event date (if known). Delete this line if unknown.

Judicial officer: Judge hearing the next event (if known). Delete this line if unknown.

Fill out the option that applies and delete the other option. **NOTE: enter enough lines above so this section is at the bottom of the cover page.**

For an individual: Filed by Person’s name, the Your role in proceedings, e.g. “plaintiff” in person.

OR; for an organisation: Filed by Person’s name, an authorised officer for the Your organisation’s role in proceedings, e.g. “plaintiff”, Enter the name of the organisation.

**To** the Registrar of the District Court at Choose an item.

and

To Name of the applicant and any other party to be served with this notice

**This document notifies you that –**

1. The respondent, your name, intends to oppose the interlocutory application by the party who made the application, e.g. “plaintiff” dated date of the interlocutory application.
2. The respondent is opposed to the making of the order.

OR

The respondent is opposed to making of the orders numbered specify numbers in the application.

(Delete whichever sentence does not apply)

1. The grounds on which the respondent opposes the making of the order(s) are as follows: specify concisely the grounds on which you oppose the application. .
2. The respondent relies on specify any particular provision of an enactment, principle of law, or judicial decision relied on..

Date: Enter date here (may be handwritten)

Signature: (sign here)

Name: Enter your name

Select your role