MAGISTRATES' COURT GENERAL CIVIL PROCEDURE RULES 2010

Rule 4.10 FORM 4B

**PROPER BASIS CERTIFICATION**

IN THE MAGISTRATES’ COURT Court Number:

OF VICTORIA

AT

BETWEEN

Plaintiff

OF

And

Defendant

OF

|  |  |  |  |
| --- | --- | --- | --- |
| Date of Document |  |  |  |
| Filed on behalf of: |  |  |  |
| Australian lawyer name: |  | Code: |  |
| Address: |  | Telephone: |  |
| Reference |  |

In accordance with section 42 of the *Civil Procedure Act 2010*, I *[name of legal practitioner or if not legally represented, name of party]*

certify to the Court that, in relation to the document [*identify document to which certification relates*]

filed on behalf of *[specify party]*

on the factual and legal material available to me at present:

[*in a civil proceeding which involves allegations of fact:]*

\*(a) each allegation of fact in the document has a proper basis;

\*(b) each denial in the document has a proper basis;

\*(c) there is a proper basis for each non-admission in the document.

[*in an civil proceeding commenced by a complaint seeking particular legal relief or remedy:]*

\*(a) each claim the in the document has a proper basis;

\*(b) each response in the document to a claim has a proper basis;

\*(c) each question posed to the Court in the document has a proper basis;

\*(d) each response in the document to each question posed to the Court has a proper basis.

Dated:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*(Signed)*

\* Delete if not applicable