Magistrates' Court Criminal Procedure Rules 2019

Rule 107

# Form 54

**APPLICATION FOR SUPPRESSION ORDER**

In the Magistrates' Court

of Victoria at *[venue]*

In the matter of:

Court Reference : \_

*[Prosecuting agency]:*

*[Offender]*

Name of applicant*:*

Address of applicant: Phone number:

 Postcode:

Email address:

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| --- |
| ***NOTE: Pursuant to section 10(1) of the Open Courts Act 2019, the applicant must give three (3) business days’ notice of this application to the Court and to all parties to the proceeding, unless the Court is satisfied that there is good reason to waive the notice requirement or it is in the interests of justice to do so.*** |

Application for: Proceeding Suppression Order

 Broad Suppression Order

 Other – Please specify:

Grounds of Application:

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|  |

This case is next listed for mention\*/hearing\*/committal\* at

on

Dated:

 *[Applicant or applicant’s legal practitioner]*

**NOTICE OF APPLICATION**

(to be completed by the registrar)

This application will be heard at the Magistrates’ Court of Victoria at:

 *(Court location)*

on: at: AM/PM

 (*Date*) *(Time)*

Or soon afterwards as the business of the Court allows.

Dated:

At:

 *(Court location) (Registrar Signature, Name and Capacity)*

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| ***NOTE: Pursuant to section 10(1) of the Open Courts Act 2019, the applicant must give three (3) business days’ notice of this application to the Court and to all parties to the proceeding, unless the Court is satisfied that there is good reason to waive the notice requirement or it is in the interests of justice to do so.*** |

*\*Delete if not applicable*

A draft subpoena is attached to this application.

You may, if you wish, be heard on this issue in court on the application hearing date. You may appear in person or be legally represented.

Pursuant to section 32D of the Act, the applicant will submit that the protected material contains evidence that has substantial probative value to a fact in issue on the following grounds:

*[insert grounds]*

Signature of applicant:

Date:

# NOTE:

This notice must be served on-

* The other party *[prosecutor or accused];*
* The Informant; and
* The medical practitioner or counsellor (as the case requires}­ not less than 14 days before the date for the hearing of the application.