

*(insert front sheet)*

**ORIGINATING APPLICATION TO REFER QUESTION TO COURT OF APPEAL**

*Criminal Procedure Act 1921 ss 153(5) and 153*

TO THE *(INSERT ROLE): (insert name of other party)*.....

AND TO *(insert names of others to whom notice of the application is to be given)*

.....

**Application**

*(insert name of applicant)*..... applies to the Court of Appeal for an order requiring a court to refer a relevant question to the Court of Appeal for consideration and determination.

**Particulars**

1. Name of proceeding in which the relevant question arises:

.....

2. Court against which the order is sought: .....

3. Date and name of Judge making decision of primary court refusing application to have the relevant question referred for consideration and determination by the Court of Appeal (*when applicable*):.....

4. Statement of the relevant question: .....

.....

5. Particulars of any decision made by the primary court concerning the relevant question:

.....

6. Permission to make this application:

- is not required as the application is made by the Attorney-General or Director of Public Prosecutions;
- was granted by Justice/Judge .....in the..... Court on (*insert date*).....

*(delete whichever is inapplicable)*

**Applicant's address**

The applicant's address for service is:

Place: .....

.....

Email: .....

The applicant's address is (*place of residence or business*):

.....

.....

**Date:**

*(signed)*

.....

Attorney-General /Director of Public Prosecutions/Solicitor for the defendant/Defendant (*delete whichever is inapplicable*)