**ORIGINATING APPLICATION TO DISCHARGE OR VARYCONDITION OF RECOGNIZANCE ORDER**

**Crimes Act 1914 (Cth) s 20AA(1)**

SUPREME / DISTRICT / MAGISTRATES **Circle one** COURT OF SOUTH AUSTRALIA

CRIMINAL JURISDICTION

……………………………………………………………………………… **Full Name**

**Applicant**

**v**

……………………………………………………………………………… **Full Name**

**Respondent**

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| Applicant |  |
| Authorising individual**If applicant is not an individual and not represented by a law firm/office)** |  |
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| Name of law firm/office**If applicable** |  |  |
| **Law firm/office** | **Name of responsible solicitor** |
| Address for service |  |
| **Street Address (including unit or level number and name of property if required)** |
|  |  |  |  |
| **City/town/suburb** | **State** | (Postcode) | **City/town/suburb** |
|  |
| **Email address** |
| Phone Details |  |
| **Type (eg. home; work; mobile) – Number** |
| Applicant’s References |  |  |
| **Reference number - optional\_** | **Instant loss of licence number – optional** |

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| Respondent |  |
| **Full Name (including Also Known as)** |
| Address |  |
| **Street Address (including unit or level number and name of property if required)** |
|  |  |  |  |
| **City/town/suburb** | **State** | **Postcode** | **Country** |
|  |
| **Email address** |
| Phone Details |  |  |
| **Type (eg. Home; work; mobile) – Number**  | **Another number (optional)** |

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| **Application details****Mark appropriate selection below with an ‘x’**This Application is for:[ ] conditions of a[ ] Recognizance Order[ ] Recognizance Release Ordermade in respect of the Defendant [*full name*] (‘the Subject’) ……………………………**full name** to be  varied.[ ] the discharge of an entire [ ] Recognizance Order[ ] Recognizance Release Order made in respect of the Defendant [*full name*] (‘the Subject’) ……………………………**full name**The original Order the subject of this application was made on………………………**date**in case number………………………….. **case number**by the……………………………………………………..**name of Court e.g. District** of Court of South Australia.This Application is made under section 20AA(1) of the *Crimes Act 1914* (Cth).The Applicantseeks the following orders:[ ] 1. The following condition(s) of the [ ] Recognizance Order [ ] Recognizance Release Order imposed by the Court **Circle one** be varied as follows **specify details of variation for each condition**: ………………………………………………………………………………………………………………………...... ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………...... ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. …………………………………………………………………………………………………………………………..  ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. …………………………………………………………………………………………………………………………..[ ] 2. The  [ ] Recognizance Order [ ] Recognizance Release Order imposed by the Court **Circle one** be discharged.[ ] 3. If applicable, specify other orders sought below: ………………………………………………………………………………………………………………………...... ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………...... ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. ………………………………………………………………………………………………………………………….. …………………………………………………………………………………………………………………………. |
| This Application is made on the grounds[ ] set out in the accompanying Affidavit sworn by…………………………………………**full name** on……………………**date (mandatory if Application includes varying or revoking conditions relating to firearms (e.g. guns in s 96(2) of the *Sentencing Act 2017*)**[ ] that **Outline grounds in separately numbered paragraphs below**1. ………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………

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| **To the Other Parties: WARNING**This Application will be considered at the hearing at the date and time set out at the top of this document.If you wish to oppose the Application or make submissions about it:* **you must go to the hearing** and
* if you wish to rely on any facts in addition to or contrary to those relied on by the party seeking the orders you **must** file and serve on all parties an affidavit before the hearing date.

If you do not do so, the Court **may proceed in your absence** and orders may be made **finally determining** this application without further warning.**To the Defendant the subject of the original** [*Recognizance Order/Recognizance Release Order*] **sought to be varied: WARNING** You **must** go to the hearing or have a lawyer gofor you to make submissions in [*support of/response to*] **select one** this Application. If you are in custody, arrangements can be made for you to appear before the Court in person or via audiovisual link on the day of the hearing. You should inform the Court Registry whether you wish to appear in person or by audiovisual link. |

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| **Service**The party filling this document is required to serve it on all other parties in line with the Rules of Court. |

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| **Accompanying Documents****Mark appropriate selection below with an ‘x’**Accompanying this Application is a[ ] Supporting Affidavit **optional unless required by Rules of Court**[ ] If other additional document(s) please list them below:.…………………………………………………………………………………………………………………………………….…………………………………………………………………………………………………………………………………….…………………………………………………………………………………………………………………………………….…………………………………………………………………………………………………………………………………….…………………………………………………………………………………………………………………………………….…………………………………………………………………………………………………………………………………….…………………………………………………………………………………..………………….…...**list additional documents (if any)** |