

Form 13A
APPLICATION FOR LEAVE TO ISSUE SUBPOENA OR TO PRODUCE
OR ADDUCE EVIDENCE

Rule 27

In the Magistrates' Court
of Victoria at [venue] _____ Court Reference : _____

In the matter of:

Informant: [full name] _____

Accused: [full name] _____

The form is filed on behalf of:

Legal representative: _____

Name of legal practice/agency: _____

Telephone: _____

Email address: _____

The charges are listed on: _____

TAKE NOTICE THAT

Pursuant to section 32C of the **Evidence (Miscellaneous Provisions) Act 1958 (the Act)**, the applicant intends to make an application on [date] at [time] in the Magistrates' Court at [place] to seek leave to issue a subpoena for production of documents containing confidential communication. The protected evidence sought is:

[insert a description of the material sought, confined to relevant dates and times and restricting where possible the number and nature of documents sought]

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.