

Form 46
NOTICE OF APPLICATION FOR DIRECTION
THAT ACCUSED APPEAR BEFORE COURT BY AUDIO
VISUAL LINK

Rule 97

(Section 42M of the **Evidence (Miscellaneous Provisions) Act 1958**)

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

Court Ref: _____

[name of informant]

v.

[name of accused]

PART 1 – PARTICULARS OF APPLICATION

TAKE NOTICE that the applicant, _____, intends to apply to
The Court for a direction that the accused appear before it by audio visual link.

1. Type of hearing: _____

2. Date of hearing: _____

3. The grounds on which this application is made are:

Note: If the application is made less than 14 days before the hearing, section 42M of
the **Evidence (Miscellaneous Provisions) Act 1958** also requires a good and
sufficient reason for the application to be considered.

[set out grounds]

4. Prison location at date of filing?

5. Is this application being made with the consent of the parties to the proceeding?

Yes No

6. If the answer to question 5 is no, what parties have not given consent?

Yes No

7. Do facilities exist in custody for an audio visual link?

Yes No

8. Have any previous applications been made?

Yes No

Date:

[Signature]

PARTICULARS OF HEARING

(to be completed by the registrar)

The application will be heard before the Court at _____ on

_____ at _____ am/pm or so soon afterwards as
the business of the Court allows.

Filed: _____