# 16A.

E-FORM

P. 2, r.16(6) FJ(G)R

# **Summons for Further Affidavits**

This form contains Notes to help you in the completion of the form. Please note that the Notes are **NOT** to be construed or regarded as a substitute for legal advice. Please seek legal advice if necessary.

This Form, when submitted to the Court as a Summons, will be generated in accordance with the layout of the generated Summons (Form 67).

# **Section 1: Application**

|  |  |  |
| --- | --- | --- |
| 1. | I am  the Applicant in Enter main case number here.  the Respondent in Enter main case number here.  Enter name or party type here in Enter main case number here. | *Notes*  *You may refer to the Originating Application or for your party type.*  *Please state the OA case number i.e. FC/OAD 1/2022 and not the sub-case number.* |
| 2. | This summons is filed against  the Applicant.  the Respondent.  Enter name or party type here. | *If the summons do not involve another party, you do not need to complete question 2.*  *If the summons is against a person who is not an existing party to the proceedings, you must provide the details of the person in Section B of the Originating Application: Generic Sections (Form 53B).* |
| **PART A** | |  |
| I am applying for: | |  |
| 1. | the Court’s approval to file an affidavit on the issues in the Annexure (**Approval for** **Further Affidavits**). |  |
| 2. | State the reliefs which you are claiming here. |  |
| 3. | State the reliefs which you are claiming here. |  |
| **PART B** | |  |
| 4. | Costs of this summons  Costs in the cause.  No orders as to costs.  Each party to bear own costs.  Costs to be paid by   |  | | --- | | Enter name or party type here. |   Costs to be reserved to   |  | | --- | | Enter event here. |   Others:   |  | | --- | | Enter details here. | | *Costs in the cause means the costs of this application will be decided at and will depend on the outcome of the main proceedings.*  *If you opt to reserve costs, please state the event at which costs is to be decided e.g. reserved to the final hearing.* |
| **PART C** | |  |
| 5a. | The reasons / evidence for this summons are stated in the supporting affidavit. | *If you are relying on any factual statement or evidence to support this summons, you must file a supporting affidavit. You may use the Generic Affidavit (Form 54).* |
| 5b. | The summons is filed without a supporting affidavit. I will refer to the following affidavits to support this summons:  *Please complete the table below.*   |  |  | | --- | --- | | *Person who filed the affidavit* | *Date of filing* | | Enter details here. | Enter date here. | | Enter details here. | Enter date here. | | Enter details here. | Enter date here. | |
| 5c. | I do not intend to rely on any evidence / facts and will not file a separate affidavit to support this summons. |

**Annexure: Approval for Further Affidavits**

Please annex the completed Approval for Further Affidavits (Form 16B).

# **Section 2: Affirmation**

Where the facts in the Annexure are within my personal knowledge, they are true. Where they are not within my personal knowledge, they are true to the best of my knowledge, information and belief.

Insert the affirmation clause here only if you are **not** filing a supporting affidavit. The summons is to be sworn / affirmed in accordance with the Form of Attestation (Form 106) of the Family Justice (General) Rules 2024.

**The Summons when filed will be generated with the Instructions to the Responding Party for service.**