

NOTICE OF CROSS-APPEAL

COURT DETAILS

Court Supreme Court of New South Wales, Court of Appeal
Registry Sydney
Case number

TITLE OF PROCEEDINGS

[First] appellant [name]

#Second appellant #Number of
appellants (if more than two)

[First] respondent [name]

#Second respondent
#Number of respondents (if
more than two)

TITLE OF THIS CROSS-APPEAL

[First] cross-appellant [name]

#Second cross-appellant
#Number of cross- appellants (if
more than two)

[First] cross-respondent [name]

#Second cross-respondent
#Number of cross-respondents
(if more than two)

PROCEEDINGS IN THE COURT BELOW

Title below [eg X Pty Limited and another v Y and others]

Court below

Case number below

Date[s] of hearing

Material date

Decision of [Judicial officer's name and designation]

FILING DETAILS

Filed for	[name] [role of party eg cross-appellant]
#Filed in relation to	[eg whole decision below, decision below in relation to (number) cross-claim, decision below in relation to quantum] [include only if form to be eFiled]
#Legal representative	[solicitor on record] [firm]
#Legal representative reference	[reference number]
Contact name and telephone	[name] [telephone]
Contact email	[email address]

HEARING DETAILS

This notice of cross-appeal is listed for directions at [time, date and place to be inserted by the registry unless otherwise known].

TYPE OF APPEAL

[Select type of appeal from the list available on the UCPR website at <http://www.ucprforms.nsw.gov.au/> by clicking on the link to Publications, or at any NSW court registry.]

DETAILS OF CROSS-APPEAL

- 1 This cross-appeal is brought under [state the statutory provision under which the appeal is brought].
- 2 #This notice of cross-appeal is not filed pursuant to leave to cross-appeal.
#Leave to cross-appeal was granted on [date].
- 3 #The cross-appellant cross-appeals from the whole of the decision below.
#The cross-appellant cross-appeals from the part of the decision below in relation to [state the relevant part of the decision below].

APPEAL GROUNDS

- 1 [State briefly, but specifically, the grounds relied on in support of the cross-appeal including:
 - a. Where the cross-appeal is limited to a question or questions of law, state the question or questions of law sought to be raised.
 - b. Where an error of law is relied upon, provide a clear statement of the error of law.]
- 2 []

ORDERS SOUGHT

- 1 #Time for filing a cross-appeal be extended.
- 2 Appeal allowed
- 3 [#Judgment #Order (number eg 3, if cross-appealing part only)] of the court below be set aside.
- 4 [State what judgment, order, verdict or determination the cross-appellant seeks in place of the decision of the court below.]
- 5 [#State the order the cross-appellant seeks for reinstatement or restitution in accordance with UCPR 51.19]
- 6 The [role of party eg cross-respondents] pay the cross-appellant's costs.

UCPR 51.22 CERTIFICATE

#I certify under UCPR 51.22(2) that the amount in issue in this cross-appeal exceeds the specified amount under [state the relevant statutory provision].

#The right of cross-appeal is not limited by a monetary sum.

#SIGNATURE OF LEGAL REPRESENTATIVE

#This notice of cross-appeal does not require a certificate under clause 4 of Schedule 2 to the [Legal Profession Uniform Law Application Act 2014](#).

#I certify under clause 4 of Schedule 2 to the [Legal Profession Uniform Law Application Act 2014](#) that there are reasonable grounds for believing on the basis of provable facts and a reasonably arguable view of the law that the claim for damages in these proceedings has reasonable prospects of success.

I have advised the cross-appellant[s] that court fees will be payable during these proceedings. These fees may include a hearing allocation fee.

Signature

Capacity

[eg solicitor on record, contact solicitor]

Date of signature

#SIGNATURE OF OR ON BEHALF OF CROSS-APPELLANT IF NOT LEGALLY REPRESENTED

I acknowledge that court fees will be payable during these proceedings. These fees may include a hearing allocation fee.

Signature

Capacity [eg authorised officer, role of party]

Date of signature

Note:

1. This notice must be served personally unless non-personal service under UCPR 10.18 is permitted.
2. A copy of this notice must be filed in the court below in accordance with UCPR 51.42.

NOTICE TO CROSS-RESPONDENT

If your solicitor, barrister or you do not attend the hearing, the court may give judgment or make orders against you in your absence. The judgment may be for the orders sought in the notice of cross-appeal and for the cross-appellant's costs of bringing these proceedings.

Before you can appear before the court, you must file at the court an appearance in the approved form.

HOW TO RESPOND

Please read this notice of cross-appeal very carefully. If you have any trouble understanding it or require assistance on how to respond to the notice of cross-appeal you should get legal advice as soon as possible.

You can get further information about what you need to do to respond to the notice of cross-appeal from:

- A legal practitioner.
- LawAccess NSW on 1300 888 529 or at www.lawaccess.nsw.gov.au.
- The court registry for limited procedural information.

Court forms are available on the UCPR website at www.ucprforms.nsw.gov.au or at any NSW court registry.

REGISTRY ADDRESS

Street address	Supreme Court of New South Wales, Court of Appeal Law Courts Building Queen's Square Level 5, 184 Phillip Street Sydney NSW 2000
Postal address	GPO Box 3 Sydney NSW 2001
Telephone	1300 679 272

PARTY DETAILS

A list of parties must be filed and served with this notice of cross-appeal.

[on separate page]

DETAILS ABOUT ANY CROSS-RESPONDENT THAT IS A NEW PARTY

[First] cross-respondent

Name

Address

#[unit/level number]

#[building name]

[street number]

[street name]

[street type]

[suburb/city]

[state/territory]

[postcode]

#[country (if not Australia)]

[repeat the above information as required for the second and each additional cross-respondent]