

Magistrates Court (Civil Jurisdiction) Rules 2004—Form 5 Small Claims Court

(see s 416 (4), s 417 (3), s 426 (2) and s 428 (4))

Inquiry notice

Application No _____ of [year], between [applicant] and [respondent].

* To [name], the applicant:

* To [name], the respondent:

Inquiry details

I have directed an inquiry into this application to be held in the Small Claims Court before [Magistrate or referee] at [place] on [date] at [time].

Dispute settlement

If agreement is reached between all parties as to terms of settlement of the dispute, a consent judgment application in the form provided on the other side of this notice should be filled in and signed by the parties.

The consent judgment application should then be lodged with the registrar at [address of registrar's office].

Nonattendance

* *To the applicant:* If you do not attend the inquiry, the Court may dismiss your application.

* *To the respondent:* If you do not attend the inquiry, the Court may give judgment against you in favour of the applicant.

Further information

If you have any questions about what you should do, please talk to a Registry officer at [address] or by telephone on [telephone number] between 9 am and 4 pm, Monday to Friday.

Date:

Registrar

* *Strike out where inapplicable*

Endnotes

- 1 This form was originally in the *Magistrates Court (Civil Jurisdiction) Act 1982* (the *authorising Act*), schedule 2. Under amendments made by the *Legislation (Consequential Amendments) Act 2001*, the form was omitted from the authorising Act and became a form approved under section 471 of that Act (see amdt 1.2791, amdt 1.2793).
- 2 Under the *Court Procedures Act 2004* A2004-59, pt 8, this form became a form approved under that Act.

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