

Form 6.9 Certificate of noncompliance with subpoena served in New Zealand

Court Procedures Rules 2006

(see r 6527 (Noncompliance with subpoena served in New Zealand))

Evidence and Procedure (New Zealand) Act 1994 (Cwlth)

To: The High Court of New Zealand

The Supreme Court of the Australian Capital Territory certifies that—

- (a) leave to serve (*identify the subpoena*) in New Zealand was given by a Judge of the Supreme Court of the Australian Capital Territory under the *Evidence and Procedure (New Zealand) Act 1994* of the Commonwealth of Australia, section 9 on (*date of leave*); and
- (b) the person named in the subpoena failed to comply with the subpoena.

Accordingly the Court respectfully requests you to exercise your powers under the *Evidence Amendment Act 1994* of New Zealand, section 16.

A copy of the subpoena and a copy of the order giving leave to serve it in New Zealand are annexed to this certificate.

*No application has been made for the subpoena to be set aside in whole or part.

*An application for the subpoena to be set aside in whole or in part was dismissed by order made on (*date*). A copy of the order is annexed to this certificate.

Date:

By the Court

(*signature of Registrar and seal of Court*)

**omit if, or whichever is, inapplicable*