

PRACTICE DIRECTION NO. 1 OF 1996

PROOF OF SERVICE - DOCUMENT SERVED

I The purpose of this Practice Direction is:-

to avoid inconvenience to practitioners and the court; and
to reduce costs in time and paper usage;- and
to reduce legal costs.

2. While Rule 82 permits an affidavit of service to exhibit the document served, the established practice has been to require a copy of the document served to be exhibited to the affidavit of service.
3. Proof of service of a plaint. Any other originating process or any document which has not been filed in the registry will continue to be proved by exhibiting the document served to the affidavit of service.
4. Proof of service of any other document may be effected by referring in the affidavit of service to the document served in short form, and by a sufficient description to identify it (e.g. affidavit of 'DEF' and six exhibits filed 24 January 1996),
5. Practitioners must provide accurate filing dates when proving service in the manner described in paragraph 4.
6. An affidavit of service of a document (other than of a plaint or other originating process or of any document which has not been filed in the registry) may read,-

"I did on (10 June) 19 , at (2 John Street, Oxley, Brisbane) in the State of (Queensland) serve (ABC) with,-

- (a) a copy of the (application) filed (6 June) 19 , and
- (b) a copy of the four page affidavit of (DEF) together with its six exhibits all filed (6 June) 19 ; and
- (c) a copy of (a letter, notice etc) dated (1 January 1996) now produced and shown to me and marked "A'

by (set out manner and mode of service) etc."

Repealed

CHIEF JUDGE OF DISTRICT COURTS

25 June 1996