

Magistrates Court of Western Australia (Civil Jurisdiction)		FILE COPY	
<i>Disposal of Uncollected Goods Act 1970</i> s. 20(b)  <b>FORM 10</b>  <b>Application under Part VII for order to dispose of goods in possession otherwise than under bailment in course of business where s. 20(b) applies</b>		Magistrates Court at:  No:	
Between			
Applicant	Full name		
	Address		
		Postcode	
	Telephone		
Email address			
and			
Respondent	Full name		
	Address		
		Postcode	
	Telephone		
Email address			
Application	1. On <i>[date]</i> at <i>[place]</i> the applicant came into possession of the following goods <i>[give sufficient description of goods]</i> through the respondent, under the following circumstances <i>[give full details]</i>  2. The respondent has failed to relieve the applicant of the possession of the goods despite notice to do so. 3. The applicant applies for an order to sell or otherwise dispose of the goods in accordance with the Act.		
Signature of applicant or lawyer		Date	
This application will be heard in the Magistrates Court at <i>[place]</i> at <i>[time]</i> on <i>[date]</i>			
Registrar			
To	The Respondent		
And To <sup>1</sup>	<i>[name]</i>		
If you do not attend either in person or by your counsel or solicitor at the time and place fixed above for the hearing of this application the Court may make orders in your absence.			
<sup>1</sup> A copy of this application must be served on the respondent and any other person appearing to be affected by the application.			

*Disposal of Uncollected Goods Act 1970*  
s. 20(b)

**FORM 10**

**Application under Part VII for order to dispose of goods in possession otherwise than under bailment in course of business where s. 20(b) applies**

Magistrates Court at:

No:

Between

Applicant	Full name			
	Address			
			Postcode	
	Telephone			
	Email address			

and

Respondent	Full name			
	Address			
			Postcode	
	Telephone			
	Email address			

Application	1. On <i>[date]</i> at <i>[place]</i> the applicant came into possession of the following goods <i>[give sufficient description of goods]</i> through the respondent, under the following circumstances <i>[give full details]</i>
	2. The respondent has failed to relieve the applicant of the possession of the goods despite notice to do so.
	3. The applicant applies for an order to sell or otherwise dispose of the goods in accordance with the Act.

Signature of applicant or lawyer		Date	
----------------------------------	--	------	--

This application will be heard in the Magistrates Court at *[place]*  
at *[time]* on *[date]*

Registrar	
To	The Respondent
And To <sup>1</sup>	<i>[name]</i>

If you do not attend either in person or by your counsel or solicitor at the time and place fixed above for the hearing of this application the Court may make orders in your absence.

<sup>1</sup> A copy of this application must be served on the respondent and any other person appearing to be affected by the application.

## **INFORMATION FOR APPLICANT**

### **PLEASE READ THIS FORM THOROUGHLY**

The following information is a guide only. Information on court procedures is available from any Magistrates Court Registry. Registry locations can be found under 'Court Locations & Contacts' on the Magistrates Court website

[www.magistratescourt.wa.gov.au](http://www.magistratescourt.wa.gov.au)

<b>APPLICANT</b>	<ul style="list-style-type: none"><li>• Your full name or the name of your company or business.</li></ul>
<b>RESPONDENT</b>	<ul style="list-style-type: none"><li>• The full name or the name of the company or business you are issuing the claim against.</li></ul>
<b>ADDRESSES</b>	<ul style="list-style-type: none"><li>• These are the addresses to which the court will send/serve documents and notices on you and the respondent.</li><li>• The addresses provided on an application must contain a residential or business address for service.</li><li>• To enable a party to serve documents by email or fax, an email address or fax number may be provided in addition to the above.</li></ul>
<b>SIGNATURE</b>	<ul style="list-style-type: none"><li>• It is necessary for you to sign each copy of the application form within this package.</li></ul>
<b>METHOD OF SERVICE</b>	<ul style="list-style-type: none"><li>• You may choose to have the claim served by a bailiff (fees will apply) or you may choose to serve the claim yourself. If you elect to serve the claim yourself you should obtain information from a registry of the Magistrates Court as to the methods to serve a claim.</li></ul>
<b>CONTACT DETAILS</b>	<ul style="list-style-type: none"><li>• It is suggested that you include a contact telephone number, which will allow the respondent or the court to contact you if the need arises.</li></ul>
<b>NON-APPEARANCE OF PARTIES</b>	<ul style="list-style-type: none"><li>• If you fail to appear at the time and place mentioned in the application, an order may be made in your absence. If the respondent fails to appear the matter may proceed in his or her absence. If both parties fail to appear then the action may be struck out.</li></ul>

*Disposal of Uncollected Goods Act 1970*  
s. 20(b)

**FORM 10**

**Application under Part VII for order to dispose of goods in possession otherwise than under bailment in course of business where s. 20(b) applies**

Magistrates Court at:

No:

Between

Applicant	Full name			
	Address			
			Postcode	
	Telephone			
Email address				

and

Respondent	Full name			
	Address			
			Postcode	
	Telephone			
Email address				

Application	<p>1. On <i>[date]</i> at <i>[place]</i> the applicant came into possession of the following goods <i>[give sufficient description of goods]</i> through the respondent, under the following circumstances <i>[give full details]</i></p> <p>2. The respondent has failed to relieve the applicant of the possession of the goods despite notice to do so.</p> <p>3. The applicant applies for an order to sell or otherwise dispose of the goods in accordance with the Act.</p>
-------------	---

Signature of applicant or lawyer		Date	
----------------------------------	--	------	--

This application will be heard in the Magistrates Court at *[place]* at *[time]* on *[date]*

Registrar	
To	The Respondent
And To <sup>1</sup>	<i>[name]</i>

If you do not attend either in person or by your counsel or solicitor at the time and place fixed above for the hearing of this application the Court may make orders in your absence.

<sup>1</sup> A copy of this application must be served on the respondent and any other person appearing to be affected by the application.

