**FORM 8A**

*Small Claims Act*

Rule 8.02(1)(a)

**NOTICE OF DEFENCE**

IN THE LOCAL COURT Claim No. \_\_\_\_\_\_\_\_\_\_\_\_\_

AT \_\_\_\_\_\_\_\_\_\_\_\_\_

Between .................……………............ full name

the plaintiff:

 ...............…………….............. address

 ...................……………..........

and

 ...............…………….............. full name

the defendant:

 ..............……………............... address

 ...........…………….................. for service

TO THE PLAINTIFF

I intend to defend the claim against me on the following grounds: (*Give particulars of defence and summary of facts on which you rely.*)

...................………….... ............................................................................

Signature of Defendant (print name in full)

Defendant’s postal address ...............................................................................................................

Filed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

(*Please print legibly.*)

Name of defendant's solicitor (if any):\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Solicitor's reference number:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name, business address, telephone and facsimile numbers of solicitor's firm: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ .

If solicitor acting as agent — name, business address, telephone and facsimile numbers of agent:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **PART A**

**COUNTERCLAIM**

Rule 9.01(1)

(*Complete if you have a claim against the plaintiff.*)

The defendant claims against you —

\* the amount of $\_\_\_\_\_\_\_\_\_\_\_\_\_

\* an order for —

The claim is made on the following grounds: (*Give concise statement of the nature of the claim and the facts on which it is based.*)

Date claim arose: \_\_\_\_\_\_\_\_\_\_\_\_\_\_Place claim arose: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

...................…………....

Signature of Defendant

Defendant’s name in full ..........................................................................………………...

Defendant’s postal address ...............................................................................................

Filed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Registrar

\* Delete if inapplicable.

(*Please print legibly.*)

Name of defendant's solicitor (if any):\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Solicitor's reference number:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name, business address, telephone and facsimile numbers of solicitor's firm:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

If solicitor acting as agent — name, business address, telephone and facsimile numbers of agent:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**PART B**

Rule 11.03(2)(a)

**NOTICE OF ADMISSION**

\* I admit the plaintiff's claim to the following extent:(*State the facts you admit in favour of the plaintiff.*)

***(YOU DO NOT HAVE TO MAKE AN OFFER TO PAY.)***

***I OFFER TO PAY*** the plaintiff the amount of $\_\_\_\_\_\_\_\_ in satisfaction of the claim. I offer to pay this amount —

\* in full.

\* in instalments of $\_\_\_\_\_\_\_\_\_ per \_\_\_\_\_\_\_\_\_\_

Defendant’s signature

Defendant’s name in full

Defendant’s postal address

Witness’s signature

Witness name in full

Witness’s contact address and telephone number

\* Delete if applicable

 **If you complete any part of Part B, your signature must be witnessed before a person who is 18 or over.**