

MAGISTRATES COURTS OF QUEENSLAND

REGISTRY: (Court location)

NUMBER: (Court will allocate)

Applicant: (Owner of stock name)

AND

[First] Respondent: (Name)

[AND

Second Respondent: (Name)]

AFFIDAVIT (Forced Muster Order)

(Full name of deponent) of (residential or business address, or place of employment), (occupation or other description) states on oath [or: solemnly and sincerely affirms and declares]:

1. I provide this affidavit to accompany an application for a forced muster order. Relevant to this application:
- (i) The stock is described as _____ and identified by brand _____ or other identifying mark namely _____.
 - (ii) The applicant is _____, the place is _____ and the person managing (or controlling) the place is _____.

The applicant's information and belief as to the grounds on which the applicant believes the stock is at a place managed or controlled by another person is _____.

The applicant's information and belief that either:

- (i) It is impractical to seek permission from the other person to enter the place and remove the stock from it due to _____.
- OR
- (ii) That the other person unreasonably refuses to permit the applicant to enter the place to search for, locate and remove the stock is apparent due to _____.

Evidence of stock ownership or the relevant stock is _____.

The applicant has, at least 28 days before the hearing of the application given a copy of the application (by registered post) to

- (a) The Commissioner of Police
C/- The State Coordinator
SARCIS
GPO Box 1440
BRISBANE QLD 4001

and;

- (b) The person managing or controlling the place

Signed:

Taken by:

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Filed on behalf of the applicant

Form 46

R.431

Ph:

Fax:

Sworn [*or*: Affirmed] by **(Full Name)** on **(Date)** at **(Place)** in the presence of:

Signed: (*Signed by deponent*)
Deponent

(*Signed by person taking affidavit*)
(Statement of capacity to take affidavit)¹

¹ For example, “Solicitor”, “Barrister”, “Justice of the Peace”.

[who certifies that the affidavit was read in the presence of the deponent who seemed to understand it, and signified that that person made the affidavit. (*If required: see R.431(1)*)]

[who certifies that the affidavit was read in the presence of the deponent who seemed to understand it, and signified that that person made the affidavit, but was physically incapable of signing it. (*If required: see R.431(2)*)]

Signed:

Taken by:

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Filed on behalf of the applicant

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