



# Notes for guidance on completing the Respondent's Notice



The following notes are a step by step guide to completing the Respondent's Notice. They tell you what information is needed for each of the numbered sections in the form.

## **Section 1- Details of the parties**

This section requires you to give your full name, address, telephone number, fax number and email address as well as the contact details of the person who is making the application against you (the Applicant). It is important that you provide as many details as possible so that the Court knows how to contact you and the other party/parties to the proceedings.

## **Section 2- Contesting the jurisdiction of the court**

You must indicate in this section whether or not you are contesting the jurisdiction (i.e. 'the legal authority') of the Court. If you are not contesting the Court's jurisdiction, then tick the 'no' box and move on to Section 3. If, however, you are arguing that the Court has no legal authority to hear the case against you, then you should tick the 'yes' box and go on to explain why you say that is so. You can then move on to section 4.

## **Section 3- Responding to the application**

If you are content for the Court to grant the Applicant's application, then you should tick the 'yes' box. Please be advised that if you do so, the Court may go on to grant the application without seeking any further information from you.

If you are not content for the Court to grant the Applicant's application, then you should tick the 'no' box. You should then set out any facts relied upon and identify any law (such as QFC Law or QFC Regulations) which you consider relevant. You should aim to provide no more than 8 typed pages of submissions in support of your response.

## **Section 4- Supporting documentation**

If you are submitting extra documents along with your Respondent's Notice (such as a contract or other business document) you should list the documents in this section and identify why they are important. The Court does not, at this stage, need to see every single document which you believe relates to the application which is being made against you. You should simply provide only those documents which you believe are essential in helping you respond to the application.

## **Section 5- Extensions of time**

If you wish to contest the jurisdiction of the Court, you must notify the Court and the Applicant (using the Respondent's Notice) within 14 days of service on you of the Application Notice. Otherwise, you must file and serve a copy of the Respondent's Notice on the Court and the Applicant within 28 days of service (or deemed service) of the Application Notice. You should be aware that the period of time for responding may be altered by the Registrar or a Judge of the Court in which case you will be notified of the applicable time limits.

If you are responding out of time, you must explain why your response is late and why it would be in the interests of justice for the Court to consider it. If you fail to do this, the Court will not accept service of your Respondent's Notice and will instead return the form to you.

## **Section 6- Legal representation**

In this section you should tell the Court whether or not you are legally represented. If you are completing the Respondent's Notice yourself (and do not have a lawyer) then you should tick the 'no' box. If you are legally represented then your lawyer should be completing the form for you. If you are legally represented but are completing the form yourself, then you should provide your lawyer's contact details so the Court knows how to get in touch with them.

## **Section 7- Language**

Proceedings before the Court will usually be conducted in English and all documents submitted to the Court (including the Respondent's Notice) must be completed in English (although you may, if you wish, submit duplicate copies in Arabic). If you are content for the Court proceedings to be conducted in English, then you should tick the 'English' box. If, however, you wish to have your case conducted in Arabic, you should tick the 'Arabic' box. Remember that if you wish to have the proceedings conducted in Arabic, you must still provide the Court with a copy of the Respondent's Notice (and any documents relied upon) in English.

## **Section 8- Service of respondent's notice**

You must inform the Court as to whether or not you have served a copy of the Respondent's Notice on the Applicant. This will be the normal practice in most cases. Providing you have done so, you must provide the details of the name of the person or company you served the Respondent's Notice on, the date on which you served it, and by what method (e.g. personal delivery or fax).

If there is a good reason as to why you have not served the Respondent's Notice on the other party, you must explain what that good reason is. You must also provide details of when you plan to serve the Respondent's Notice on the other party.

## **Section 9- Acknowledgements and statement of truth**

This section must be completed and signed by you or by your lawyer on your behalf. Where you are completing the Respondent's Notice on behalf of a registered company or corporation, the Respondent's Notice must be signed by either a director, treasurer, secretary, chief executive, manager or other officer of the company or, in the case of a corporation, the mayor, chairman, president or town clerk.

Proceedings for contempt of court may be brought against any person who signs a statement of truth without an honest belief in its truth.