

Notice to defendant served overseas, Form G6

Add this notice to *Form 2 – Notice of claim*, as appropriate.

Since you are resident outside New Zealand you are further notified that—

1. The plaintiff has commenced a proceeding against you in the District Court in New Zealand, claiming the relief specified in the attached Form 2 – Notice of claim.
2. Although you are resident outside New Zealand, the plaintiff claims that this proceeding can be brought against you in the District Court in New Zealand.
3. By New Zealand law, the District Court may exercise jurisdiction in certain classes of case even though the defendant is resident outside New Zealand.
4. [*Specify particular provision(s) of District Courts Rules 2009, r 3.44.21 (or High Court Rules, r 6.27) on which the plaintiff relies to serve the proceeding overseas.*]
5. In this case the plaintiff claims: [*specify facts alleged by the plaintiff to confer jurisdiction*].
6. Even though the court has jurisdiction to hear and determine this proceeding, it may decline to do so if it is satisfied—
 - a. that in all the circumstances a country other than New Zealand is the most appropriate country in which the matters in dispute in the proceeding should be determined; and
 - b. that the plaintiff will have a fair opportunity to prove the plaintiff's claim and receive justice in that other country.
7. If you want to dispute the jurisdiction of the court, you must, within the time specified for serving Form 3 – Notice of response (30 working days), and instead of serving Form 3,—
 - a. file an appearance in this court, in the form required by the rules of this court, stating your objection to the court's jurisdiction and the grounds for it; and
 - b. serve a copy of it on the plaintiff.

The appearance is not treated as a submission to the jurisdiction of the court.

8. If you want to dispute the jurisdiction of the District Court or to defend the plaintiff's claim, you should either directly, or through a qualified legal adviser in the place where you are, send written authority (by fax or email) to a solicitor in New Zealand to act for you.

Date:

Signature:

(Registrar/Deputy Registrar*)

*Select one