

## AUSTRALIAN MILITARY COURT PRACTICE NOTE 8

### APPEALS AND APPLICATIONS FOR AN EXTENSION OF TIME TO APPEAL TO THE AUSTRALIAN MILITARY COURT FROM SUMMARY AUTHORITY PROCEEDINGS

1. Section 161(1) *Defence Force Discipline Act 1982* (DFDA) provides for appeals to the Australian Military Court (AMC) in connection with convictions and / or punishments and / or Part IV Orders imposed by a summary authority.
2. Appeals are to be initiated by the lodgement of a Form G1 *Notice of Appeal* with the Registrar of the AMC or a person prescribed under rule 68A *Australian Military Court Rules 2007* (AMCR). The Form G1 *Notice of Appeal* is at annex A.
3. If an appeal or application for an extension of time is lodged with a prescribed person, the prescribed person must record the date and time the prescribed person received the documents and forward this information and the documents to the Registrar of the AMC as soon as practicable.
4. If the appropriate time period for the lodgement of an appeal has expired, the convicted person must, in accordance with rule 68A(3) AMCR, complete and lodge the 'Application for an extension of time to appeal' contained in the 'Notice of Appeal' (Form G1).
5. An appeal or application can be lodged electronically, by post or by fax. Rules 71 and 72, AMCR provide the procedure for lodgment of documents.
6. For the purposes of r71 AMCR, the address approved by the Registrar of the AMC for personal delivery, internal Department of Defence post or ordinary post is:  
  
Registrar of the Australian Military Court  
  
Department of Defence  
  
F-TS-1L-AMC  
  
Canberra, ACT, 2600.
7. The electronic address for lodgment, approved by the Registrar of the AMC, is [Registrar.AMC@defence.gov.au](mailto:Registrar.AMC@defence.gov.au).
8. The facsimile number approved by the Registrar for lodgement with the Registrar of the AMC is 02 6127 4133.
9. The Registrar will supply the convicted person with confirmation of the lodgment of their appeal or receipt of their application for an extension of time to appeal.

10. If a convicted person wishes to discontinue their appeal or application for an extension of time to appeal, they are to lodge a Form G2 *Notice of Discontinuance* with the Registrar of the AMC. The Form G2 *Notice of Discontinuance* is at annex B.

*I. D. Westwood*

**I.D. WESTWOOD, AM**  
Brigadier  
Chief Military Judge  
Australian Military Court

19 September 2008

