**FORM 4B**

Rule 4.10(2)

**IN THE SUPREME COURT OF VICTORIA AT MELBOURNE**

***[DIVISION]***

***[LIST]***

 **No.** *[proceeding no.]*

**B E T W E E N**

Plaintiff

-and-

Defendant

**PROPER BASIS CERTIFICATION \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Date of Document: Solicitors Code:

Filed on behalf of: DX:

Prepared by: Telephone:

 Ref:

 Email:

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In accordance with section 42 of the **Civil Procedure Act 2010**, I *[name of legal practitioner or if not legally represented, name of party]* certify to the Court that, in relation to *[identify document to which certification relates]* filed on behalf of *[specify party]*, on the factual and legal material available to me at present:

*[in a civil proceeding which involves allegations of fact:]*

 \*(a) each allegation of fact in the document has a proper basis;

 \*(b) each denial in the document has a proper basis;

 \*(c) there is a proper basis for each non-admission in the document.

*[in a civil proceeding commenced by originating motion seeking a particular legal relief or remedy:]*

 \*(a) each claim in the document has a proper basis;

 \*(b) each response in the document to a claim has a proper basis;

 \*(c) each question posed to the Court in the document has a proper basis;

 \*(d) each response in the document to each question posed to the Court has a proper basis.

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Signed

\*Delete if not applicable