**TASMANIA**

**MAGISTRATES COURT (CIVIL DIVISION)**

**FORM 5**

**DEFENCE AND COUNTERCLAIM**

**MAGISTRATES COURT** ACTION No.           .

Address:

Phone No:       Fax No:

**CLAIMANT(S)** [as on Claim Form]

**SOLICITORS FOR CLAIMANT** [if any]:

**DEFENDANT(S)**

(Full names and addresses)

(Registered office if corporation)

**SOLICITOR FOR DEFENDANT(S)** [if any]:

Address:

Phone No.       Fax No.       DX No.

CLAIMANT ‑ The Court assumes you will defend a counterclaim. If you admit a counterclaim or part of it you should file an admission of liability or an offer to save costs. If you admit the counterclaim in full, say so.

**PARTICULARS OF DEFENCE** ‑ State any part of the claimant's claim which is admitted or denied and briefly state any defence. If you admit the claim in full, say so.

**PARTICULARS OF COUNTERCLAIM** ‑ Briefly state the date, place and circumstances from which the counterclaim arose and the cause of action and the relief sought. Where the counterclaim is for damages the amount claimed for each head of damages must be given. There are costs penalties for making an unsuccessful counterclaim.

The Defendant [or his or her Solicitor] must sign and date each page.

(SIGNED)...................................................................................... DATE :............................

Filed by or on behalf of ..................…………...............................................whose address for the service of documents is:..........................................................................................................   
Phone: Fax: DX:   
Contact: