



Application for **waiver (or refund) of fees** for an individual

LEGAL AID | BENEFIT | PREVIOUS WAIVER

When to use this form

Use this form if:

- you have legal aid or have a legal aid application awaiting a decision
- you depend financially on Jobseeker Support, Sole Parent Support, Young Parent Support, Youth Payment, Emergency Benefit or Supported Living Payment
- you wholly depend on New Zealand Superannuation or Veteran's Pension
- you have previously been given a fee waiver in this proceeding and nothing has happened to affect your eligibility.

Step 1 Give us your court case details

File no. _____

Name of proceeding _____

Please tick the court that your application is for.

Supreme Court Court of Appeal High Court District Court Family Court

Step 2 Give us your details

Full name _____

Occupation _____

Address _____

Contact phone numbers day _____ other _____

Court use only

_____ / _____

Refer to proceedings file no. _____

Step 3 Tell us about the fee

The fee is \$ _____

Are you applying for the fee to be waived or refunded?

I am applying to the court to:

Waive this fee **or** Refund the fee I paid on _____
Date

What is the fee for? (select one)

The fee is for filing the following documents: _____

The fee is another type of fee (not a filing fee). (Name the fee type - for example, setting down or hearing fee.)

Tell us why you're applying for a waiver or refund (select one)

I have been given legal aid to take this step in the proceeding.

I have applied for legal aid to take this step and the application has not yet been decided. I do not want to pay the fee until the application has been decided. I agree that if legal aid is not approved I will pay the fee without delay.

I have not been given legal aid and financially depend on:

- | | |
|--|--|
| <input type="radio"/> Jobseeker Support | <input type="radio"/> Supported Living Payment |
| <input type="radio"/> Sole Parent Support | <input type="radio"/> Emergency Benefit |
| <input type="radio"/> Young Parent Support | <input type="radio"/> Youth Payment |

If you receive Orphan's Benefit or an Unsupported Child's Benefit, **don't use this form.**
You should complete the 'application for waiver (or refund) of fees for an individual' form.

I have not been given legal aid and wholly depend on:

- | | |
|---|--|
| <input type="radio"/> Veteran's Pension | <input type="radio"/> New Zealand Superannuation |
|---|--|

If you get either of these payments, but don't wholly depend on them, **don't use this form.**
You should complete the 'application for waiver (or refund) of fees for an individual' form.

On _____ (date) I was given a waiver in this proceeding
because I was unable to pay the fee (that was waived) and my circumstances have not changed.

On _____ (date) I was given a waiver in this proceeding
because of genuine public interest and that still applies to these proceedings.

Step 5 Confirm the appropriate documents are attached

If you are applying because you receive **legal aid** (or have applied for legal aid), you need to attach:

A copy of the letter from the Ministry of Justice approving legal aid.

If you are applying because you receive a **benefit or payment**, you need to attach:

A recent letter from Work and Income, or other relevant documentation, showing that you currently receive a benefit or NZ Superannuation or Veteran's Pension.

If you've been **given a waiver previously**, you don't need to attach documentation.

Step 6 Sign and date this form

I certify that the contents of this application are true.


Signature

Date

Step 7 Do a quick check

Before sending in your application, do a quick check:

Have you followed steps 1 to 6?

 Have you attached a copy of the letter approving legal aid or a recent letter from Work and Income showing that you currently receive a benefit, superannuation or pension (see step 4)?

If you have any questions, please call your local court.

See justice.govt.nz/services/finding-your-local-court or the blue pages of your phonebook for contact details.

Step 8 Submit your application

Send this application to your local court.

See justice.govt.nz/services/finding-your-local-court or the blue pages of your phonebook for contact details.

What happens next?

A registrar will look at your application and we will let you know their decision. It may take several weeks for your application to be processed.

If your application is declined, you can apply to have the decision reviewed

Please fill out the 'application for review' form. There is no fee.

The 'application for review' form is available at your nearest court or from justice.govt.nz/services/court-fees

Your 'application for review' needs to be made within 20 working days of receiving the declined decision.

You can apply to a judge if you need more than 20 working days.

Where can I go for more information?

Check our website at justice.govt.nz/services/court-fees

Call your local court. Details can be found in:

- justice.govt.nz/services/finding-your-local-court
- blue pages of your phonebook.

Talk to a lawyer or your local community law centre.

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Note

The court may refer to your information on this form in any future applications for waiver (or refund) of fees for the same proceeding.

The information on this form is collected in line with:

- the Senior Courts Act 2016 and Supreme Court Fees Regulations 2003
- the Senior Courts Act 2016 and Court of Appeal Fees Regulations 2001
- the Senior Courts Act 2016 and High Court Fees Regulations 2013
- the District Court Act 2016 and District Courts Fees Regulations 2009.