[***margins: top 4cm; left 3cm; right 5cm***]

**IN THE FAMILY COURT**

**HELD AT [Place] FAM-**

**{*Applicant’s full name*}**

**Applicant**

**{*Respondent’s full name*}**,

*[Full physical address*], [*Occupation*]

**Respondent**

**[*Delete if not required*]**

**[*Associated* *Respondent’s full name*]**

[*Full physical address*], [*Occupation*]

**Associated Respondent**

**[Note: Rules 310 and 311 of the Family Courts Rules 2002 permit the Applicant’s address to be omitted from the front page]**

**APPLICATION [WITHOUT NOTICE] FOR A**

**PROTECTION ORDER**

**OCCUPATION ORDER**

**TENANCY ORDER**

**ANCILLARY FURNITURE ORDER**

**FURNITURE ORDER**

**Dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 20\_\_\_**

*(s.60, 61, 62 (Protection) or s.115 (Occupation) or s.121(Tenancy) or s.127 (Ancillary Furniture) or s.133 (Furniture Order) of the Family Violence Act 2018)*

*(Rule 306 of the Family Court Rule 2002)*

**APPLICATION WITHOUT NOTICE FOR PROTECTION ORDER/OCCUPATION/TENANCY/ANCILLARY FURNITURE/FURNITURE ORDER**

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I, **{*Applicant’s full name*}** apply **{without notice}** for a Protection Order [and any other orders] against **{*Respondent’s full name*},** the Respondent.

[*SELECT OPTIONS*]

**Request for direction to protect specified persons**

I also seek a direction that the Protection Order apply for the benefit of **[name person]**.

**Request for protection from Respondent’s associates**

I also seek a direction that the Protection Order apply against, **[name of Associated Respondent]** the Associated Respondent.

**Request for special conditions**

I request that the following special conditions be part of the Protection Order:

1. [detail conditions sought]

**Request for directions relating to standard condition relating to weapons**

I seek:

1. A direction that the standard condition relating to weapons not be a condition of the Protection Order; or
2. Modification of the terms of the standard condition relating to weapons, as follows:
	1. [*Specify the modifications sought*].

**Request for provision of programme**

I request the Registrar to authorise the provision of a programme to the following person(s):

**[*Full name(s*)]**.

**APPLICATION FOR OCCUPATION ORDER/TENANCY ORDER**

I apply {without notice} for an Occupation Order granting me the right to personally occupy the dwellinghouse situated at [Full address] for a period of [*State if order sought for specific period*].

I request that the Occupation Order be made on the following terms and conditions:

[*Specify any terms and conditions sought*].

I apply {without notice} for a Tenancy Order vesting in me the tenancy of the dwellinghouse situated at [*Full address*].

**[*EITHER/OR*]**

**APPLICATION FOR ANCILLARY FURNITURE ORDER**

I apply for an Ancillary Furniture Order granting me the possession and use of:

**[*Select*]**

1. All of the furniture, household appliances, and household effects in the dwellinghouse situated at [23=*Full address*]; or
2. The following furniture, household appliances, and household effects in the dwellinghouse situated at [*Full address*]:

[*Specify the items. It is not necessary to specify every item as long as the items in respect of which the application is made are readily ascertainable*]

for a period of [*State if order sought for a specific period*].

I request that the Ancillary Furniture Order be made on the following terms and conditions:

1. [*Specify any terms and conditions sought*].

**APPLICATION FOR FURNITURE ORDER**

I apply without notice for a Furniture Order granting me the possession and use of:

**[*Select Option*]**

1. All of the furniture, household appliances, and household effects in the dwellinghouse situated at [*Full address*]; or
2. The following furniture, household appliances, and household effects in the dwellinghouse situated at [*Full address*]:

[*Specify the items. It is not necessary to specify every item as long as the items in respect of which the application is made are readily ascertainable*].

for a period of[*State if order sought for specific period*].

I request that the Furniture Order be made on the following terms and conditions:

1. [*Specify any terms and conditions sought*].

**AFFIDAVIT IN SUPPORT**

I rely on the content of the affidavit of today’s date filed in support of [this application/these applications].

**PREVIOUS PROCEEDINGS**

The parties to this application were [the parties or some of the parties] to a previous application.

[**Select Options**]

Under the Family Violence Act 2018; or

Under the Domestic Violence Act 1995; or

To which the Family Proceedings Rules 1981 apply,

and that previous application was filed in a Court other than the Court in which this application is filed.

The file number of that previous application is [file number].

**[OR]**

The proceedings were filed in the [place] Family Court on or around [date].

**[OR]**

There have been no other proceedings filed to my knowledge.

………………………………………………..

Signature of Applicant

………………………………………………..

Date

Certificate of lawyer for application made without notice

I certify that—

* I have advised the applicant that every affidavit that accompanies this application must fully and frankly disclose all relevant circumstances, whether or not they are advantageous to the applicant and any other person for whose benefit the order is sought; and
* I have made reasonable enquiries of the applicant to establish whether the relevant circumstances have been disclosed, and to the best of my knowledge every affidavit filed in support of this application discloses all said circumstances; and
* I am satisfied—
	+ that the application and every affidavit comply with the requirements of the Family Violence Act 2018 and the Family Courts Rules 2002; and
	+ that the order sought ought to be made (*or* that the orders sought are orders that ought to be made).

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\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Lawyer for applicant
\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Date

Certificate of lawyer for application for protection order

I certify that I have advised the applicant that, if the court makes a protection order, the applicant may request the Registrar to authorise the provision of a safety programme to the applicant and to any other person protected by the order, including a child of the applicant’s family.

Date:

Signature:

(Lawyer for applicant)

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|  |

Date of hearing

|  |
| --- |
| I appoint [*date*] at [*time*] at the Family Court at [*place*] for the hearing of this application (*or* these applications). |

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Registrar
\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Date