

Form DV 3

**Application for protection order/property orders**

*Section 7 (or Section 52 or Section 56 or Section 62 or Section 66),  
Domestic Violence Act 1995*

In the Family Court

FAM No: .....

at .....  
[place]

.....  
[full name]

.....  
[address]

.....  
[occupation]

Applicant

.....  
[full name]

.....  
[address]

.....  
[occupation]

Respondent

.....  
[full name]

.....  
[address]

.....  
[occupation]

[if applicable] Associated Respondent

*[Set out full description of document (including whether it is made with or without notice), its date, and, in the case of an affidavit or affirmation, name the deponent and in whose support it is filed.]*

This document is filed by

*[name and address for service, and if filed by lawyers, the name and telephone number of the acting lawyer.]*

**Note:** Rules 310 and 311 of the Family Courts Rules 2002 permit the applicant's address to be omitted from the front page.

*[select and complete if applies]*

**Application for protection order**

I, .....  
*[full name]*

apply

*[select the option that applies]*

on notice

without notice

for a protection order against

.....  
*[full name]*

the respondent.

*[select and complete if applies]*

**Request for direction to protect specified persons**

*[Note: A protection order automatically protects children of the applicant's family.]*

I also seek a direction that the protection order apply for the benefit of

.....  
*[full name]*

*[select and complete if applies]*

**Request for protection from respondent's associates**

I also seek a direction that the protection order apply against

.....  
*[full name]*

the associated respondent.

*[select and complete if applies]*

**Request for special conditions**

I request that the following special conditions be part of the protection order:

*[set out in sufficient detail the nature of the special conditions sought, eg, a condition specifying a person who, for the purposes of sections 19(2), 20, and 28 of the Domestic Violence Act 1995, is entitled to consent on behalf of a protected person]*

*[select if applies]*

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

[Note: *This request may be made only if the application is on notice.*]

I seek—

*[select and complete the option that applies]*

- (a) a direction that the standard condition relating to weapons not be a condition of the protection order.
- (b) modification of the terms of the standard condition relating to weapons, as follows:

*[specify the modifications sought]*

*[select and complete if applies]*

**Request for provision of programme**

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

.....  
*[full name]*

.....  
*[full name]*

.....  
*[full name]*

.....  
*[full name]*

*[select if applies]*

**Application for occupation order (or tenancy order)**

I apply

*[select the option that applies]*

on notice

without notice

for an occupation order granting me the right to personally occupy the dwellinghouse situated at

.....  
*[full address]*

*[select and complete if applies]*

for a period of

.....  
*[state if order sought for specific period]*

*[select and complete if applies]*

I request that the occupation order be made on the following terms and conditions:

*[specify any terms and conditions sought]*

*[select and complete if applies]*

I apply

*[select the option that applies]*

on notice

without notice

for a tenancy order vesting in me the tenancy of the dwellinghouse situated at

.....  
*[full address]*

*[select if applies]*

**Application for ancillary furniture order**

I apply

*[select the option that applies]*

on notice

without notice

for an ancillary furniture order granting me the possession and use of—

*[select and complete the option that applies]*

- (a) all of the furniture, household appliances, and household effects in the dwellinghouse situated at

.....  
*[full address]*

- (b) 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]*

*[select and complete if applies]*

for a period of

.....  
*[state if order sought for a specific period]*

*[select and complete if applies]*

I request that the ancillary furniture order be made on the following terms and conditions:

*[specify any terms and conditions sought]*

*[select if applies]*

**Application for furniture order**

I apply

*[select the option that applies]*

on notice

without notice

for a furniture order granting me the possession and use of—

*[select and complete the option that applies]*

- (a) all of the furniture, household appliances, and household effects in the dwellinghouse situated at

.....  
*[full address]*

- (b) 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]*

*[select and complete if applies]*

for a period of

.....  
*[state if order sought for a specific period]*

*[select and complete if applies]*

I request that the furniture order be made on the following terms and conditions:

*[specify any terms and conditions sought]*

**Affidavit in support**

I rely on the content of the affidavit dated ..... [date]  
filed in support of this application (or these applications).

*[select and complete if applies]*

**Previous proceedings**

The parties to this application were the parties (or some of the parties) to a  
previous application—

*[select and complete the option that applies]*

(a) under the Domestic Violence Act 1995:

(b) under

.....  
*[specify previous enactment corresponding to Domestic Violence Act 1995]*

(c) to which the Family Courts Rules 2002 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 .....  
*[specify]*

*or*

*[State other information that may assist in identifying the file.]*

The previous application was filed

in the ..... Court at .....  
*[specify]* *[place]*

I request that all documents relating to the previous application be  
transferred to the Court in which this application is filed.

.....  
Signature of applicant

.....  
Date

*[select if applies]*

**Certificate of lawyer**

[Note: *Complete if applying without notice for a protection order or a property order, or both, and the application is not intended to be made by the applicant in person.*]

I certify that—

- (c) 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
- (d) 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
- (e) I am satisfied—
  - (i) that the application and every affidavit comply with the requirements of the Domestic Violence Act 1995 and the Family Courts Rules 2002; and
  - (ii) that the order sought ought to be made (or that the orders sought are orders that ought to be made).

.....  
Lawyer for applicant

.....  
Date

**Date of hearing**

[Note: *The Registrar must complete the following appointment for a hearing—*

- (a) *if the application is made on notice; or*
- (b) *if, in the case of an application without notice, an appearance is necessary or required.*]

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

.....  
Registrar

.....  
Date

**Notes***Advice*

If you need help, consult a lawyer or contact a Family Court office immediately.

*Office hours*

The office of the Family Court is open from 9.00 am to 5 pm on Mondays to Fridays inclusive.

*Information sheet*

A completed information sheet (Form G 7"qt"FX6C) must accompany this application. Cp"applicant may request that his or her residential address be kept confidential. See rule 311 of the Family Courts Rules 2002.

*Affidavit in support*

An affidavit in form DV 4 must be filed with this application.

*Notice to police*

If applying for a protection order, a notice in form DV 6 must be filed with this application.

*Application may be made on behalf of another person*

A person may be appointed by the Court to make this application on behalf of another person (including a child). See sections 9, 11, 12, and 73 of the Domestic Violence Act 1995.