

Form PPPR 11

Application for property order

Section 31, Protection of Personal and Property Rights Act 1988

In the Family Court

FAM No:

at
[place]

.....
[full name]

.....
[address]

.....
[occupation]
Applicant

.....
[full name]

.....
[address]

.....
[occupation]

Person the application is about

[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, the name of 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: This form may be used only if the applicant seeks the order in respect of some other person.]

I,
[full name]

apply for an order appointing 1 or more suitable persons (whether or not the person or persons proposed in this application) to act as the manager of the property of

.....
[full name of the person in respect of whom the application is made]

or as the manager of the following property of

.....
[full name of person in respect of whom the application is made]

[specify the property in respect of which you seek the appointment of a manager]

This application is made on the ground that

.....
[name of the person in respect of whom the application is made]

wholly (or partly) lacks the competence to manage his (or her) own affairs in relation to the property.

I make this application in my capacity as—

[select and complete the option that applies]

(a) a
[specified relative]

of
[name of the person in respect of whom the application is made]

(b) the attorney of

.....
[name of the person in respect of whom the application is made]

(c) a social worker employed by the department for the time being responsible for the administration of the Children, Young Persons, and Their Families Act 1989.

(d) a medical practitioner.

(e) a trustee corporation.

(f) a representative of

.....
[name of group]

being a group that is engaged, otherwise than for commercial gain, in the provision of services and facilities for the welfare of persons in relation to whom the Court has jurisdiction in accordance with section 25 of the Act.

(g) the superintendent (*or licensee or supervisor or other person in charge*) of

.....
[name of institution]

being the hospital (*or home or other institution*) in which

.....
[name of the person in respect of whom the application is made]

is a patient (*or resident*).

(h) the welfare guardian for

.....
[name of person in respect of whom the application is made]

(i) a person granted leave of the Court to make this application.

I say:

[select and complete the option that applies]

1.
[name of the person in respect of whom the application is made]
is domiciled (*or ordinarily resident*) in New Zealand.

or

1.
[name of the person in respect of whom the application is made]
is neither domiciled nor ordinarily resident in New Zealand, but all of the property in respect of which the order is sought is situated in New Zealand.

[select and complete the option that applies]

- 2. The proposed appointee is

.....
[full name]

of
[address]

.....
[occupation]

The proposed appointee is of or over the age of 20 years (*or* a trustee corporation).

or

- 2. The proposed appointees are

[full name and the address and occupation of each of the proposed appointees. State, in respect of each of the proposed appointees, either that the proposed appointee is of or over the age of 20 years or that the proposed appointee is a trustee corporation]

[select and complete if applies and the proposed appointee is named in the application]

- 3. The proposed appointee is not the superintendent, licensee, supervisor, or other person in charge of a hospital, home, or other institution in which

.....
[name of the person in respect of whom the application is made]

is a patient (or resident)

4. *[Set out sufficient information to inform the Court of the facts relied on to support the application. If you have any medical, psychiatric, or other reports that you wish the Court to consider, attach them to this application]*

.....
Signature of applicant

.....
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 duly completed information sheet (in form PPPR 14) must accompany this application.

Meaning of the term relative

The term relative, in relation to any person, means—

- (a) the spouse, civil union partner, or de facto partner of that person; and]
- (a) the spouse of that person, or any other person with whom that person has a relationship in the nature of marriage; and
- (b) a parent or grandparent of that person, or of the spouse or other person referred to in paragraph (a); and
- (c) a child or grandchild of that person, or of the spouse or other person referred to in paragraph (a); and
- (d) a brother or sister of that person, or of the spouse or other person referred to in paragraph (a), whether of full-blood or of half-blood; and
- (e) an aunt or uncle of that person, or of the spouse or other person referred to in paragraph (a); and
- (f) a nephew or niece of that person, or of the spouse or other person referred to in paragraph (a).

Two or more managers

If the Court appoints 2 or more managers, their responsibility must be jointly held unless the Court orders otherwise.

Periodic reviews of order

If the Court makes an order, it will be required to specify a date by which the manager or managers must apply to the Court for a review of the order. That date cannot be later than 3 years after the date of the order.