
Form 2 [see Note 3]

(subregulations 14 (1) and (2))

COMMONWEALTH OF AUSTRALIA

Family Law (Child Abduction Convention) Regulations

APPLICATION INITIATING PROCEEDINGS

(Title as under Family Law Rules)

DATE OF FILING:

*RESPONSIBLE CENTRAL AUTHORITY'S ADDRESS FOR SERVICE:

To: *(Full name of respondent)*

TAKE NOTICE that the attached application HAS BEEN SET DOWN FOR HEARING by the Court at _____ on the day of _____ 19____, at _____ o'clock.

AND FURTHER TAKE NOTICE THAT—

- (a) if you wish to defend this application but to raise no new issues, you may, at the earliest practicable date before the return day set out above, file and serve an affidavit setting out briefly the matters on which you rely;
- (b) if you wish to defend this application and to seek some order other than the order sought in this application, you may, at the earliest practicable date before the return day set out above, file and serve a cross-application and an affidavit in support; and
- (c) if you do not appear at the hearing, the Court may proceed to make the orders sought, or similar orders, in your absence,

Dated this _____ day of _____ 19____.

.....
Registrar.

APPLICATION

(Full name of applicant) _____ ,
whose occupation is _____ ,
and who represented the responsible Central Authority, applies for the
following orders:—

(a)

(b)

(if insufficient space attach statement of orders sought)

Details concerning child

1. The child, *(full name)* _____ , was born on
the _____ day of 19 ____ .
2. The habitual residence of the child immediately prior to the
removal or retention of the child was _____ , a convention
country.
3. The child has been wrongfully removed or retained from the
country referred to in paragraph 2.
4. The child is now residing with *(full name)* _____ ,
(relationship, if any, to child) _____ ,
at _____

Details concerning child's custodian

5. The applicant under the Convention, *(full name)* _____ ,
(relationship, if any, to child) _____ , of
(address) _____ , has rights of
custody in respect of the child by reason of the following factual
and legal circumstances:

(include details of any custody order)

Details concerning child's removal or retention

6. The child was removed or retained on the _____ day
of _____ 19 ____ , in the following circumstances:

Pending proceedings in Australia

*7. The following are particulars of pending family law or child welfare proceedings concerning the child:

(set out brief particulars of any pending proceedings and the court in which the proceedings are pending)

or

*7. There are no pending family law or child welfare proceedings concerning the child.

Attachments

8. The request for return of the child under the Convention is attached.

9. The following documents are also attached:

- * (a) certified copy of relevant decision or agreement concerning rights of custody or rights of access;
- * (b) certificate or affidavit as to the applicable law;
- * (c) information relating to the social background of the child;
- * (e) authorization empowering the Central Authority to act on behalf of the applicant;
- * (f) other (*specify*).

Dated this day of 19 .

.....
(*Signature of applicant*)

* Cross out whichever is not applicable.

AFFIDAVIT

I, *(full name, address and occupation)*
make oath and say/affirm:

1. I am the applicant in, and I have read, this application.
2. The facts stated in this application that are within my personal knowledge are true. All other facts stated in this application are true to the best of my knowledge, information and belief.

SWORN *(or AFFIRMED)* by the
applicant at

on the day of
19 . *(Signature of applicant)*

Before me:

.....
*(Signature and title of person
before whom affidavit is sworn)*