

Application for exemption from fees – financial hardship

(not to be used for divorce)

Family Law (Fees) Regulations 2012 – Section 2.05

Give Details

File number	
File name	
Date filed	

Notice to applicant

For approval for a fee exemption, you will need to show that your income, day-to-day living expenses, liabilities and assets are at such a level that payment of the full fee would cause you financial hardship.

In considering your application the Court may ask you to provide documentary evidence to support your claim. In this case your application will be returned to you with instructions as to what further information you need to provide in the 'Notice of request for more information' on page 3 of this form.

If you are applying for exemption from a court fee, this form must be lodged at the same time as the application being filed.

If you are applying for an exemption from a setting down fee or hearing fee, then these forms must be lodged once the hearing date is set. Your hearing date will be set at either a directions hearing or at a court hearing.

An approval is valid only for the current court fee for which you are applying. If a further fee is payable you will need to reapply.

- **Cross boxes where applicable. Type or print clearly.**
- **Attach an extra page if you need more space for any of the details requested**
- **If your application for exemption is unsuccessful, you will be required to pay the full filing fee before your forms will be accepted.**

Warning: Under the Criminal Code any person who knowingly makes an untrue representation or statement to obtain a benefit or advantage from the Commonwealth is guilty of an offence and, if found guilty, can be fined or imprisoned.

Note: Where there is more than one applicant to an application, all applicants must meet the requirements for an exemption or the full fee applies.

Exemptions only apply to court fees and **do not** apply to fees to serve documents on a person.

GST does not apply to court fees.

Part A – Details

Name and address	family name (surname)	given names	
	postcode		telephone
Fee for which exemption is sought.	<input type="checkbox"/> Family Court		<input type="checkbox"/> Federal Circuit Court
	Form: <input type="checkbox"/> Application (Not including divorce) <input type="checkbox"/> Response <input type="checkbox"/> Setting-down fee <input type="checkbox"/> Hearing fee <input type="checkbox"/> Interim application <input type="checkbox"/> Subpoena <input type="checkbox"/> Conciliation conference <input type="checkbox"/> Consent orders (FCoA only) <input type="checkbox"/> Initiating application (parenting & financial) VII & VIII orders <input type="checkbox"/> Other	Appeal: <input type="checkbox"/> to Full Court	
Number of people who are dependent on you (this may include a dependent spouse and any children under 18)? _____			
Have you previously made an application for exemption of fees on the basis of financial hardship? Yes <input type="checkbox"/> No <input type="checkbox"/>			
If yes, have your circumstances changed? Yes <input type="checkbox"/> No <input type="checkbox"/>			

Part G – Certification by applicant (to be signed in the presence of the witness)

I certify that:

1. I am the applicant
2. I have read this application
3. The facts in it that are within my personal knowledge are true
4. All other facts are true to the best of my knowledge, information and belief
5. I have disclosed all relevant financial information
6. I am aware that it is an offence to provide information or a document in connection with this application that is false or misleading.

Signature

Place:

Date:

		____/____/____
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Before me (signature of witness)

Full name of witness (please print)

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This application was prepared by:

applicant or lawyer

(print lawyers name)

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(Office Use Only)

Notice of request for more information

Having considered your application, the Court requests you to provide documentary evidence of your income, assets, liabilities and day-to-day living expenses to support your claim

In particular, you will need to provide the following

The documents listed above should be provided **within 14 days** of the date on which this notice was issued. You can provide the originals or photocopies to the Court attached to the back of this application.

Signature of officer

Name of officer

Date

____/____/____