FEDERAL CIRCUIT AND FAMILY COURT OF AUSTRALIA

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
	Form: ☐ Application (Not including divorce) ☐ Response	☐ Setting-down fee ☐ Hearing fee ☐ Interim application ☐ Subpoena ☐ Conciliation conference ☐ Consent orders (FCoA only) ☐ Initiating application (parenting & financial) VII & VIII orders Other	**Appeal:** ☐ 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 ☐ No ☐

If yes, have your circumstances changed?

Yes ☐ No ☐

Part B – Your income (convert all income to fortnightly figures)	TOTAL
Salary/wages/pension income – before tax	$
Interest	$
Rent or board received	$
Company profits	$
Other income (*include any child support/spouse maintenance received and so on)*	$
Gross total for each fortnight (before tax)	$
Net total for each fortnight (after tax)	**$**

Part C – Your assets	TOTAL
Your home	$
Other real estate	$
C1 – subtotal – value of assets	$
Balance of all bank, credit union and building society accounts	$
Shares	$
Managed investments *(including superannuation funds you can draw on now)*	$
Bonds	$
Other liquid assets *(give details)*	$
C2 – subtotal – value of liquid assets	$

Part D – Your liabilities (whole amount owing)	TOTAL
Mortgages *(give details)*	$
Credit cards *(give details)*	$
Loans/leases *(give details)*	$
Other *(specify and give details)*	$
Total	**$**

Part E – Your day-to-day living expenses (for each fortnight)	TOTAL
Food	$
Mortgage/rent	$
Gas, electricity, water, heating, telephone, rates, insurance	$
Car/travel	$
Superannuation	$
Clothing, medical and other personal expenses	$
Children's expenses *(include child support, child care, school fees, children's clothing and so on)*	$
Other *(specify and give details)*	$
Total	**$**

Part F – Other circumstances
If you do not meet the test as set out in the Guidelines, you may still qualify if there are circumstances which you can show would cause you hardship if you were required to pay a full fee. In this case, give details here. Attach an extra page if you need more space.

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:
		/ /

Before me (signature of witness)	Full name of witness (please print)

This application was prepared by:

☐ applicant **or** ☐ lawyer

(*print lawyers name)*

(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**
		/ /