



**NEWFOUNDLAND AND LABRADOR
REGULATION 104/24**

*Rules of the Supreme Court, 1986 (Amendment)
under the
Judicature Act*

(Filed December 23, 2024)

Under the authority of section 55 of the *Judicature Act*, the Rules Committee of the Supreme Court makes the following Rules.

Dated at St. John's, December 18, 2024.

Raymond P. Whalen
Chairperson, Rules Committee

RULES

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1. Rule 6A of the Rules of the Supreme Court, 1986 is repealed and the following substituted:

**RULE 6A
SERVICE BY ELECTRONIC TRANSMISSION
OR FAX**

Service by electronic transmission or fax

6A.01 (1) A party may, as part of their address for service included in a pleading or a notice under these rules or a letter enclosing a pleading or notice, include one of the following:

- (a) a fax number;
- (b) an e-mail address; or
- (c) an account with an electronic document delivery service.

(2) Where a document is not required to be served personally, service of the document may, in accordance with this Rule, be effected in one of the following ways

- (a) if an e-mail address is provided as part of the person's address for service in a pleading, in a notice, or in a letter enclosing a pleading or notice, by e-mailing the document to that e-mail address;
- (b) if a fax number is provided as part of the person's address for service in a pleading, in a notice, or in a letter enclosing a pleading or notice, by faxing the document to that fax number; or
- (c) if an account with an electronic document delivery service is provided as part of the person's address for service in a pleading, in a notice, or in a letter enclosing a pleading or notice, by submitting the document through that electronic document delivery service.

Information included

6A.02 A document that is served in accordance with this rule shall include the following information. If the document is sent by fax, the information must appear on the cover page:

- (a) the name, address and telephone number of the sender;
- (b) the name of the solicitor or person to be served;
- (c) the date and time of the transmission;
- (d) the total number of pages transmitted, including the cover page and the backsheet, if applicable;
- (e) that the transmission is for service of court documents;
- (f) the electronic address or fax number from which the document is transmitted; and
- (g) the name and telephone number of a person to contact in the event of a transmission problem.

Limits on document size

6A.03 (1) The following documents may not be served by electronic transmission or fax under this rule unless the solicitor or person to be served gives prior consent:

- (a) a list of documents;
- (b) a trial record;
- (c) a record of the proceedings heard before a decision-making authority;
- (d) a book of documents; or
- (e) a document exceeding 50 single-sided pages, inclusive of cover page and backsheet.

(2) A document of 30 pages or more, inclusive of the cover page and backsheet, if served by fax, may be served only between the hours of 5 p.m. and 8 a.m. of the following day, unless the solicitor or person to be served gives prior consent.

When service is effective

6A.04 Service of a document by electronic transmission or fax in accordance with this rule is effective

- (a) if the document is transmitted before 4 p.m., on the day of the transmission; or
- (b) if the document is transmitted after 4 p.m., or at any time on a Saturday, Sunday or holiday, on the next day that is not a Saturday, Sunday or holiday.

2. The rules are amended by adding immediately after Rule F4 the following:

**Rule F4A – Notice of Intention to Proceed after
Twelve Months' Delay**

Notice of intention to proceed after twelve months' delay

F4A.01 (1) Subject to subrule (3), where twelve months or more have elapsed since the last step in a proceeding, the party who desires to proceed shall, unless the Court otherwise orders, give to every other party not less than one month's notice of that party's intention to proceed in Form F4A.01A.

(2) Where a party is giving notice in Form F4A.01A, the party must file and, in accordance with rule F8 (“Providing Notice and Serving Documents on Other Parties or Persons”), serve Form F4A.01A on every other party to give notice.

(3) Unless a judge orders otherwise, notice of a party’s intention to proceed is not required where one or more of the following applies:

- (a) a Notice of Default has been filed against that party and the party has not filed a Demand for Notice;
- (b) the party is making an application in accordance with rule F16 or Rule F16A;
- (c) the party is making an application in accordance with rule F17;
- (d) the party is making an application under section 14 of the *Support Orders Enforcement Act, 2006*;
- (e) the party is making an application for the enforcement of an order;
- (f) a statute permits a person to make an application without notice.

3. The rules are amended by deleting the word "or" at the end of rule F15.03(1)(c) and repealing rule F15.03(1)(d) and substituting the following:

- (d) after a case management hearing has been held dealing with the claim to which the proposed interim application relates where the party applying has an issue which requires a timely resolution or which otherwise cannot await final resolution of the claim. An application filed under the rule that a judge determines does not require a timely resolution or could await final resolution of the claim, may result in a costs award against the applicant; or
- (e) where the proposed interim application seeks a contempt order or an order permitting the relocation of a child, only if a judge has granted a party permission to proceed with the interim application in accordance with rule F18.03(1.1).

4. The rules are amended by adding immediately after rule F16 the following:

Rule F16A – Interim Applications under the *Family Orders and Agreements Enforcement Assistance Act*

Scope of rule

F16A.01 (1) This rule sets out procedures respecting applications to court under the *Family Orders and Agreements Enforcement Assistance Act* (Canada), including

- (a) when to make an application to court under the Act;
- (b) the forms to complete and file when making an application under the Act;
- (c) how to respond to an application with notice under the Act;
- (d) requirements for attendance at the hearing under the Act; and
- (e) what a judge may do upon reviewing or hearing the application.

(2) This rule applies to applications to court pursuant to the *Family Orders and Agreements Enforcement Assistance Act* (Canada) notwithstanding rules F16, F17, and F18.

(3) To the extent that the rules are inconsistent with the *Family Orders and Agreements Enforcement Assistance Act* (Canada) and the *Release of Information for Family Orders and Agreements Enforcement Assistance Regulations* (Canada), the provisions of the Act and Regulations will apply.

(4) References to an “access provision,” “contact provision,” “custody provision,” “family provision,” “parenting provision,” or “support provision” throughout this Rule have the meaning given to these terms under the Act.

When an application to court may be made

F16A.02 (1) A person, body or service that is seeking to have a support provision established or varied may, at any time during a proceeding, make an application to court pursuant to the *Family Orders and*

Agreements Enforcement Assistance Act (Canada) to assist with the establishment or variation of a support provision.

(2) Where there is an existing order containing a family provision, a person, body or service that is entitled to have the provision enforced may, at any time, make an application to court under the *Family Orders and Agreements Enforcement Assistance Act (Canada)* to assist with the enforcement of that family provision.

Making an application with notice

F16A.03 (1) A person, body or service making an application to court with notice to assist with the establishment or variation of a support provision must complete and file an application in Form F18.03A and an affidavit in Form F16A.03A.

(2) A person, body or service making an application to court with notice to assist with the enforcement of a support provision must complete and file an application in Form F18.03A and an affidavit in Form F16A.03B.

(3) A person, body or service making an application to court with notice to assist with the enforcement of a parenting provision, contact provision, custody provision, or access provision must complete and file an application in Form F18.03A and an affidavit in Form F16A.03C.

(4) Where a person, body or service completes and files an application and affidavit with notice under rule F16A.03, a registry clerk must issue the application and affidavit and set a date for the hearing.

(5) A person, body or service who makes an application under rule F16.03A must, in accordance with rule F8 (“Providing Notice and Serving Documents on Other Parties or Persons”), serve a copy of the issued application and affidavit on the other parties to the application at least 10 days before the scheduled hearing date, unless the parties agree or a judge has permitted otherwise.

(6) Where an application is made in relation to the variation of a support provision or the enforcement of a family provision, the party shall also file a copy of the order that contains the provision or provisions in question.

Making an application to court without notice

F16A.04 (1) A person, body or service making an application to court without notice to assist with the establishment or variation of a support provision must complete and file an application in Form F16.03A and an affidavit in Form F16A.04A.

(2) A person, body or service making an application to court without notice to assist with the enforcement of a support provision must complete and file an application in Form F16.03A and an affidavit in Form F16A.04B.

(3) A person, body or service making an application to court without notice to assist with the enforcement of a parenting provision, contact provision, custody provision, or access provision must complete and file an application in form F16.03A and an affidavit in Form F16A.04C.

(4) Where an individual makes an application without notice, the application must be accompanied by

- (a) the results of a recent criminal record check in respect of the applicant; and
- (b) copies of any court orders, agreements, undertakings, or recognizances or any other document that is of a similar nature that restricts the applicant's communication or contact with the person, child, or children who are the subject of the application.

(5) Where an application is made in relation to the variation of a support provision or the enforcement of a family provision, the party shall also file a copy of the order that contains the provision or provisions in question.

Responding to an application with notice

F16A.05 Any person served with an application under this rule who intends to oppose the application must

- (a) file one affidavit in response, in a form that complies with rule F32 ("Evidence and Affidavits"), setting out their position; and
- (b) serve, in accordance with Rule F8 ("Providing Notice and Serving Documents on Other Parties or Persons"), a copy of

the affidavit in response on every other party to the application at least four days before the hearing of the application.

How to reply to a response to an application with notice

F16A.06 Any person served with an affidavit in response may

- (a) file one affidavit in reply, in a form that complies with rule F32 (“Evidence and Affidavits”), responding to the position raised in the affidavit in response; and
- (b) serve, in accordance with Rule F8 (“Providing Notice and Serving Documents on Other Parties or Persons”), a copy of the affidavit in reply on every other party to the application at least two days before the hearing of the application.

Requirement to attend a hearing of an application with notice

F16A.07 The parties and their lawyers must attend a hearing under this rule in person, unless a judge

- (a) permits a party or lawyer to appear remotely pursuant to rule F41 (“Appearing Remotely”); or
- (b) excuses the party or lawyer from attending.

What a judge can do at a hearing of an application with notice

F16A.08 Upon hearing an application with notice, the judge may

- (a) make a decision on the basis of the application and affidavits filed and the oral arguments of the parties;
- (b) disregard an affidavit in response or reply that is not filed and served in time or that does not comply with rule F32 (“Evidence and Affidavits”), and may award costs against the party filing it;
- (c) give permission to one or more parties to cross-examine a deponent;
- (d) order that a party or witness give oral evidence;
- (e) give other directions relating to the conduct of the application.

What a judge may do on an application to court without notice

F16A.09 Upon considering an application without notice, a judge may do one or more of the following:

- (a) grant the application without any party or person appearing;
- (b) dismiss the application;
- (c) require the applicant to provide additional information as directed by the judge;
- (d) require the applicant to appear in Court to address the application;
- (e) refuse to hear the application until notice is provided to a party or person affected by or interested in the application;
- (f) shorten the time for providing notice;
- (g) permit substituted service;
- (h) order that a hearing be held as quickly as possible;
- (i) make an order that balances the interests of the applicant with the interests of a party or person affected by or interested in the application.

5. Rule F17.01 is repealed and the following substituted:

Scope of rule

F17.01 (1) This rule sets out

- (a) when a party may make an emergency interim application for a temporary order without providing notice to the other party or a person affected by the application;
- (b) the forms to complete and the documents to file to make the application;
- (c) what a judge may do upon review of the application; and
- (d) what happens after a judge has granted an order under this rule.

(2) An “emergency” for the purpose of this rule is determined on an objective basis. An emergency will only exist if a court order is necessary to remedy the situation and the judge determines that notice to the other party is not required.

6. The rules are amended by adding immediately after rule F18.03(1) the following:

(1.1) Notwithstanding rules F18.03(1) and F18.04(1), a party must always seek permission where a proposed interim application seeks a contempt order or an order permitting relocation of a child.

7. Rule F32.02(3) is repealed and the following substituted the following:

(3) The total number of pages attached to affidavits shall not exceed 10 pages.

8. The rules are amended by adding the following forms:

- (a) F4A.01A;
- (b) F16A.03A;
- (c) F16A.03B;
- (d) F16A.03C;
- (e) F16A.04A;
- (f) F16A.04B; and,
- (g) F16A.04C.

9. The rules are amended by repealing and substituting the following forms:

- (a) 6.14A;
- (b) F16.03A;
- (c) F17.03A;
- (d) F26.02A;
- (e) F34.02A; and
- (f) F35.03A.

10. These regulations come into force on January 20, 2025.

Commencement

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Form 6.14A
(rule 6.14(1))

File number: 20____ G _____

**IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
GENERAL DIVISION**

BETWEEN:

(Plaintiff's name)

PLAINTIFF

AND:

(Defendant's name)

DEFENDANT

(Modify title of proceeding as necessary.)

Affidavit of Service

I, *(person serving the document)*, of *(city of residence)*, make oath and say as follows:

(Personal Service)

TO: *(name of person being served)*

1. On *(date)*, at *(time)*, I served *(name of person served)* with the *(identify documents served)* by leaving a copy with him (or her) at *(address where service was made)*.

(Where the rules provide for personal service on a corporation, etc. by leaving a copy of the document with another person, substitute: by leaving a copy with (identify person by name and title) at (address where service was made).)

2. I was able to identify the person by means of *(state the means by which the person's identity was ascertained.)*

(Service by leaving a copy with an adult person in the same household as an alternative to personal service)

1. I served *(name of person served)* with the *(identify documents served)* by leaving a copy on *(date)*, at *(time)*, with a person, *(insert name if known)*, who appeared to be an adult member of the same household in which *(name of person served)* is residing, at *(address where service was made)*, and by sending a copy by regular

lettermail (*or registered or certified mail*) on (*date*) to (*identify person served*) at the same address.

2. I ascertained that the person was an adult member of the household by means of (*state how it was ascertained that the person was an adult member of the household*).
3. Before serving the documents in this way, I made an unsuccessful attempt to serve (*name of person served*) personally at the same address on (*date*). (*If more than one attempt has been made, add: and again on (date).*)

(Service by registered mail as an alternate to personal service)

1. On (*date*), I sent to (*name of person served*) by registered mail with Canada Post Corporation item # (*include number*) attached to the envelope, a copy of the (*identify documents served*).
2. Attached is the confirmation of delivery receipt obtained from Canada Post Corporation for item # (*include number*) showing the envelope was delivered to (*name of person served*) on (*date of receipt*).
3. The item # on the confirmation of delivery receipt is identical to the item number on the registered mail receipt obtained from Canada Post Corporation for the envelope sent to (*address where mail was delivered*).

(Service by certified mail as an alternative to personal service)

1. On (*date*), I sent to (*name of person served*) by certified mail a copy of the (*identify documents served*).
2. I received the attached receipt card from Canada Post Corporation which indicates the documents were received on (*date*) and which bears a signature that purports to be the signature of (*identify person*).

(Service by regular lettermail as an alternative to personal service)

1. On *(date)*, I sent to the *(name of person served)* by regular lettermail a copy of the *(identify documents served)* together with an acknowledgment of receipt form.
2. On *(date)*, I received the attached acknowledgment of receipt form bearing a signature that purports to be the signature of *(identify person)*.

(Service on a party who has a solicitor as an alternative to personal service)

1. On *(date)*, I sent to the *(name of solicitor)*, solicitor for the *(identify person)*, by *(state the means by which a copy of documents was provided)* a copy of the *(identify documents served)*.
2. On *(date)*, the *(name of solicitor)*, solicitor for the *(identify person)*, endorsed on the *(identify documents)*, or on a copy of the *(identify documents)*, that he or she accepts service and that *(date)* is the date of acceptance.

SWORN/AFFIRMED

at _____ *(city/town)*,
_____ *(province*
or, if outside of Canada, country), on the
_____*(day)* of _____
(month), _____ *(year)*, before me

(signature)
Commissioner, notary public, etc.

(signature of affiant)

Form F4A.01A: Notice of Intention to Proceed (Family Law)



In the Supreme Court of Newfoundland and Labrador (General/Family)

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name) CO-APPLICANT

AND: _____ RESPONDENT
(Print full name) CO-APPLICANT

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT
 CO-APPLICANT

Notice: _____, the Applicant Respondent Other:
(Print your name)

intends to proceed.

No steps can be taken until one month after this notice has been served.

DATED at _____, this _____ day of _____, 20____.
_____ Signature

How to Make an Interim Application for a Procedural Order Instructions

You can make an **Interim Application for a Procedural Order (Form 16.03A)** in your family law proceeding if you need an order that does not directly deal with your family law issues (for divorce, parenting, support, etc.).

For example, if you cannot serve the other person with court documents, you can make an application for substituted service.

When You Can Make an Interim Application for a Procedural Order

You can make an Interim Application for a Procedural Order at any time. You can make an Interim Application for a Procedural Order for a number of reasons. For example:

- 1) You are seeking access to a court file;
- 2) You cannot obtain your marriage certificate (or registration of marriage);
- 3) You are seeking an extension of time to file financial information;
- 4) You are seeking an order to dispense with the requirement to include the respondent's contact information in your Originating Application or Originating Application to Vary;
- 5) You are seeking a renewal of an Application;
- 6) You are seeking an order relating to the manner or timing of service of a document;
- 7) A rule in the *Supreme Court Family Rules* allows you to make an Interim Application for a Procedural Order;
- 8) A judge has given you permission to make an Interim Application for a Procedural Order.

Completing Your Application

You can fill out this form by hand or you can download and fill out this form electronically at

<https://www.court.nl.ca/supreme/rules-practice-notes-and-forms/family/general/> (If you fill out the form electronically, you must still print the form and file it with the Court). You must fill out the entire form. If you require more space to fill out any section of this form, attach an extra page and indicate which section is continued on the extra page.

Filing Your Application

To file your Interim Application, you can either bring it to a Supreme Court location near you or you can mail it to a Supreme Court location near you (with the filing fee attached). You can look up the fees online: <https://www.court.nl.ca/supreme/schedule-of-fees/>. You do not need to give a copy of this Application to the other person unless a judge orders you to do so.

You must also file: 1) a typed draft **Order** along with 1 extra copy of that Order. You can get an Order form from any Supreme Court location or online: <https://www.court.nl.ca/supreme/rules-practice-notes-and-forms/family/general/>. The Order form for this application is titled **Order (Family Law)**, and on Page 1, you can select **Procedural Order**.

The Court will contact you to let you know if your procedural order is granted or not. Sometimes a judge will ask that you attend a court hearing to hear your application. If you need to attend a hearing, the Court will contact you with a date and time. If your procedural order is granted, you will need to give a copy of the order to the other person immediately.

More Information

Questions? Go to <https://www.court.nl.ca/supreme/family-division/> or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE FILING THIS APPLICATION ---

Form F16.03A: Interim Application for a Procedural Order (Family Law)



In the Supreme Court of Newfoundland and Labrador (General/Family)

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

FOR COURT USE ONLY
HEARING DATE (if applicable)
The hearing for this application is scheduled to be heard in the Supreme Court of Newfoundland and Labrador:
Location: Supreme Court in _____, Newfoundland and Labrador
Address: _____
Date: _____
Time: _____ am / pm

I, _____, the Applicant Respondent Other:
(Print your name)

am seeking an procedural order without providing notice to any other party.

Part A Basis of application

Check the box that applies to you:

<input type="checkbox"/>	I am an officer of the Court and I am seeking access to a Court file. (If you are not an officer of the Court and you are seeking access to a Court file, you must file an Interim Application (Form F18.03A))
<input type="checkbox"/>	I cannot obtain my original marriage certificate (or registration of marriage).
<input type="checkbox"/>	I am seeking an extension of time to file financial information which must accompany an Originating Application or Originating Application for Variation.
<input type="checkbox"/>	I cannot obtain the Respondent’s contact information, despite having made reasonable attempts.
<input type="checkbox"/>	I am seeking an order to renew an Originating Application or Originating Application for Variation.
<input type="checkbox"/>	I am seeking an order relating to the manner or timing of service of a document. (eg. substituted service, dispensing with service, etc.)
<input type="checkbox"/>	Rule (specify rule number) _____ permits this application to be made.
<input type="checkbox"/>	Other: _____

Part B Procedural order(s) sought

Fill in what you are seeking:

Part C Reasons for seeking procedural order(s) (Affidavit)

Fill in the reasons why you are seeking the procedural order(s):

Statement of Truth

You must swear or affirm that the facts and information that you have written in this Interim Application for a Procedural Order and any attachments is the truth. You must swear or affirm and sign this Statement of Truth in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this application at the Court when you file it.

I declare the facts and information in this Interim Application for a Procedural Order are true to the best of my knowledge and belief.	
SWORN TO or AFFIRMED at _____, this _____ day of _____, 20_____.	
_____ <i>Signature</i>	_____ <i>Signature of Person Authorized to Administer Oaths</i>

Lawyer’s Signature for Fee Waiver

I am employed by the Newfoundland and Labrador Legal Aid Commission or a Newfoundland and Labrador government department under the <i>Executive Council Act</i> and I am the lawyer of record in this matter.	
_____ <i>Signature of Lawyer (if any)</i>	_____ <i>Print Name of Lawyer (if any)</i>

Form F16A.03A: Affidavit (FOAEAA) - Establish or Vary a Support Provision (Inter partes)



In the Supreme Court of Newfoundland and Labrador (General/Family)

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

This affidavit is made in support of an application by a person under section 7 of the *Family Orders and Agreements Enforcement Assistance Act*, R.C.S., 1985, c.4 (2nd Supp.) to assist with the establishment or variation of a support provision.

I, _____, of _____
(Print your name) (City and Province)

swear or affirm that:

1. I, _____, am or will be seeking to have a support
(Print your name)

provision (check the one that apply):

- established; or
- varied

Affidavit (FOAEAA) - Establish or Vary

Supreme Court of Newfoundland and Labrador

2. I make this affidavit in support of an application under section 7 of the *Family Orders and Agreements Enforcement Assistance Act*, R.S.C. 1985, c.4 (2nd Supp.) (the "FOAEAA") to request that the court make an order under section 10 of that Act to authorize an official of the court to apply for the release of information under section 12 of that Act for the above-mentioned purpose.

3. The application under section 7 of the FOAEAA is made for the following reasons:

a.	_____

b.	_____

c.	_____

4. The information to be requested under section 12 the FOAEAA relates to

(Name of the person to whom the requested information relates)

5. The information is necessary to:

- establish a support provision; or
- vary a support provision

6. The information that is being requested for release under section 5(1) of the *Release of Information for Family Orders and Agreements Enforcement Assistance Regulations* (Canada) is as follows:

- The address of the person named in this application
- The name and address of the employer of the person named in this application
- The information related to the person named in this application, other than their Social Insurance Number, that is set out in the federal tax form(s) checked below, and that is requested for the following taxation year(s) unless otherwise specified beside the specific form:

(Specific taxation year(s) for which the information is requested)

Federal Tax Form(s)	Year(s) requested (if different than above)
Basic Information	
<input type="checkbox"/> Income Tax and Benefits Return (T1)	
<input type="checkbox"/> Schedule 1 – Federal Tax	
<input type="checkbox"/> Schedule 2 – Federal Amounts Transferred from your spouse or Common-Law Partner	
<input type="checkbox"/> Schedule 3 – Capital Gains (or Losses)	
<input type="checkbox"/> Schedule 4 – Statement of Investment Income	
<input type="checkbox"/> Schedule 5 – Amounts for Spouse or Common-Law Partner and Dependants	
<input type="checkbox"/> Schedule 6 – Canada Workers Benefit	
<input type="checkbox"/> Schedule 7 – RRSP, PRPP, and SPP Unused Contributions, Transfers, and HBP or LLP Activities	
<input type="checkbox"/> Schedule 8 – Canada Pension Plan Contributions and Overpayment	
<input type="checkbox"/> Schedule 9 – Donations and Gifts	
<input type="checkbox"/> Schedule 10 – Employment Insurance (EI) and Provincial Parental Insurance Plan (PPIP) Premiums	
<input type="checkbox"/> Schedule 11 – Federal Tuition, Education, and Textbook Amounts and Canada Training Credit	
<input type="checkbox"/> Schedule 12 – Home Expense Accessibility	
<input type="checkbox"/> Schedule 13 – Employment Insurance Premiums on Self-Employment and Other Eligible Earnings	
<input type="checkbox"/> Schedule 14 – Climate Action Incentive	
For non-resident and deemed residents:	
<input type="checkbox"/> Schedule A – Statement of World Income (for Non-Residents and Deemed Residents of Canada)	
<input type="checkbox"/> Schedule B – Allowable Amount of Non-Refundable Tax Credits (for Non-Residents of Canada)	
<input type="checkbox"/> Schedule C – Electing Under Section 217 of the Income Tax Act (for Non-Residents of Canada)	
<input type="checkbox"/> Notice of Assessment and Notice of Reassessment	
<input type="checkbox"/> Statement of Trust Income Allocations and Designations (T3)	
<input type="checkbox"/> Statement of Remuneration Paid (T4)	
<input type="checkbox"/> Statement of Pension, Retirement, Annuity, and Other Income (T4A)	
<input type="checkbox"/> Statement of Old Age Security (T4A(OAS))	
<input type="checkbox"/> Statement of Canada Pension Plan Benefits (T4A(P))	
<input type="checkbox"/> Statement of Distributions from a Retirement Compensation Arrangement (RCA) (T4A-RCA)	
<input type="checkbox"/> Statement of Employment Insurance and Other Benefits (T4E) or Statement of Employment Insurance and Other Benefits (Quebec) (T4EQ)	
<input type="checkbox"/> Statement of Employee Profit-Sharing Plan Allocations and Payments (T4PS)	
<input type="checkbox"/> Statement of Income from a Registered Retirement Income Fund (T4RIF)	
<input type="checkbox"/> Statement of RRSP Income (T4RSP)	
<input type="checkbox"/> Statement of Investment Income (T5)	
<input type="checkbox"/> Statement of Real Estate Rentals (T776)	
<input type="checkbox"/> Statement of Employment Expenses (T777)	

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Supreme Court of Newfoundland and Labrador

<input type="checkbox"/> Government Service Contract Payments (T1204)	
<input type="checkbox"/> Statement of Farming Activities (T2042) and documents related to the AgriStability and AgrilInvest programs	
<input type="checkbox"/> Statement of Fishing Activities (T2121)	
<input type="checkbox"/> Statement of Business or Professional Activities (T2125)	
<input type="checkbox"/> Declaration of Conditions of Employment (T2200)	
<input type="checkbox"/> Statement of Benefits (T5007)	
<input type="checkbox"/> Statement of Securities Transactions (T5008)	
<input type="checkbox"/> Statement of Partnership Income (T5013)	
<input type="checkbox"/> Statement of Contract Payments (T5018)	

- The information that is set out in the federal tax form(s) specified in the attached annex(es) related to the corporation(s) identified below:

 (Name of the corporation)

 (Name of the corporation)

 (Name of the corporation)

- 7. The information will only be used for the purpose identified in this affidavit.
- 8. I make this affidavit in good faith.

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____.

 Signature

 Signature of Person Authorized to Administer Oaths

ANNEX



**In the Supreme Court of
Newfoundland and Labrador
(General/Family)**

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

Information requested concerning a person's corporation

In relation to the application of _____
(Full name of the party making application)

made pursuant to section 7 of the *Family Orders and Agreements Enforcement Assistance Act*, R.S.C., 1985, c.4 (2nd Supp.) (FOAEAA) for the purpose of _____ a support provision.
(establishing or varying)

The information is sought related to

(Name of the corporation)

that is controlled directly or indirectly within the meaning of subsection 256(5.1) of the *Income Tax Act*, RSC 1985, c.1 (5th Supp.) by

(Name of person against whom a support provision is sought or is to be varied)

and that are set out in the federal tax form(s) checked below and that can be found in federal information banks prescribed in section 2 of the *Release of Information for Family Orders and Agreements Enforcement Assistance Regulations*, SOR/2023-125:

- The information that is set out in the federal tax form(s) checked below is requested for the following taxation year(s) unless otherwise specified beside the specific form:

(Specific taxation year(s) for which the information is requested)

Affidavit (FOAEAA) - Establish or Vary

Supreme Court of Newfoundland and Labrador

Federal Tax Form(s)	Year(s) requested (if different than above)
<input type="checkbox"/> T2- Corporation Income Tax Return	
<input type="checkbox"/> Schedule 1 – Net Income (loss) for Income Tax Purposes	
<input type="checkbox"/> Schedule 5 – Tax Calculation Supplementary – Corporations (this provides details of any provincial tax or credits)	
<input type="checkbox"/> Schedule 6 – Summary of Dispositions of Capital Property	
<input type="checkbox"/> Schedule 100 – Balance Sheet Information	
<input type="checkbox"/> Schedule 50 – Shareholder Information	
<input type="checkbox"/> Schedule 125 – Income Statement Information	

(January 2025)

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Form F16A.03B: Affidavit (FOAEAA) – Enforce Support Provision (Inter partes)



In the Supreme Court of Newfoundland and Labrador (General/Family)

FOR COURT USE ONLY	
COURT FILE NO:	_____
CENTRAL DIVORCE REGISTRY NO:	_____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20_____.	
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador	

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____
(Print full name)

NOT APPLICABLE
 SECOND APPLICANT
 SECOND RESPONDENT

This affidavit is made in support of an application by a person under section 7 of the *Family Orders and Agreements Enforcement Assistance Act*, R.S.C., 1985, c.4 (2nd Supp.) to assist with the enforcement of a support provision.

I, _____, of _____
(Print your name) (City and Province)

swear or affirm that:

- I make this affidavit in support of an application under section 7 of the *Family Orders and Agreements Enforcement Assistance Act*, R.S.C. 1985, c.4 (2nd Supp.) (the "FOAEAA") to request that the court make an order under section 10 of that Act to authorize an official of the court to apply for the release of information under section 12 of that Act for the above-mentioned purpose.

Affidavit (FOAEAA) – Enforce Support Order

Supreme Court of Newfoundland and Labrador

- 2. The application under section 7 of the FOAEAA is made for the following reasons (note, section 9 of the FOAEAA requires there to be an alleged breach of the support provision. You must set out particulars of the breach and identify the person in arrears):

a.	
b.	
c.	

- 3. The information to be requested under section 12 the FOAEAA relates to

_____.

(Name of the person to whom the requested information relates)

- 4. The information to be requested under section 12 of the FOAEAA is necessary to enforce a support provision.
- 5. The information that is being requested for release under section 5(2) of the *Release of Information for Family Orders and Agreements Enforcement Assistance Regulations* (Canada) is as follows
 - The address of the person named in this application
 - The name and address of the employer of the person named in this application

The information related to the person named in this application for preceding taxation year:

- The information set out in the person’s Income Tax and Benefit Return (T1), other than their Social Insurance Number and information set out only in the schedules
- The information set out in the person’s Notice of Assessment and Notice of Reassessment, other than their Social Insurance Number
- The name and address of each person and entity from which they received income and the amount of income received from each

Affidavit (FOAEAA) – Enforce Support Order

Supreme Court of Newfoundland and Labrador

- 6. The information will only be used for the purpose identified in this affidavit.
- 7. I make this affidavit in good faith.

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____.

Signature

Signature of Person Authorized to Administer Oaths

F16A.03C: Affidavit (FOAEAA) - Enforce Parenting, Contact, Custody, or Access Provision (Inter Partes)



In the Supreme Court of Newfoundland and Labrador (General/Family)

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____
(Print full name)

NOT APPLICABLE
 SECOND APPLICANT
 SECOND RESPONDENT

This affidavit is made in support of an application by a person under section 7 of the *Family Orders and Agreements Enforcement Assistance Act, R.C.S., 1985, c.4 (2nd Supp.)* to assist with the enforcement of a parenting, contact, custody, or access provision.

I, _____, of _____
(Print your name) (City and Province)

swear or affirm that:

1. I, _____, wish to enforce a provision of an order
(Your full name)

related to (check the one that apply):

- parenting;
- contact;
- custody; or
- access.

Affidavit (FOAEAA) - Enforce Parenting Contact Custody or Access

Supreme Court of Newfoundland and Labrador

- 2. I make this affidavit in support of an application under section 7 of the *Family Orders and Agreements Enforcement Assistance Act*, R.S.C. 1985, c.4 (2nd Supp.) (the "FOAEAA") to request that the court make an order under section 10 of that Act to authorize an official of the court to apply for the release of information under section 12 of that Act for the above-mentioned purpose.
- 3. The application under section 7 of the FOAEAA is made for the following reasons (section 9 of the FOAEAA requires that you set out particulars of the breach and identify the person that is believed to have with them the child or children who is or are the subject of the provision):

a.	
b.	
c.	

- 4. The information to be requested under section 12 of the FOAEAA relates to _____.
(Name of the person to whom the requested information relates)
- 5. The information to be requested under section 12 of the FOAEAA is necessary to enforce a provision of an order related to (check the one that apply):
 - parenting;
 - contact;
 - custody; or
 - access.
- 6. The information that is being requested for release under section 5(4) of the *Release of Information for Family Orders and Agreements Enforcement Assistance Regulations* (Canada) is as follows:
 - The address of the person named in this application
 - The name and address of the employer of the person named in this application
 - The name and address of the child or children who is or are subject of the provision to be enforced
 - The name and address of the employer of the child or children who is or are subject of the provision to be enforced

Affidavit (FOAEAA) - Enforce Parenting Contact Custody or Access

Supreme Court of Newfoundland and Labrador

7. The information will only be used for the purpose identified in this affidavit.
8. I make this affidavit in good faith.

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20_____.

Signature

Signature of Person Authorized to Administer Oaths

Form F16A.04A: Affidavit (FOAEAA) - Establish or Vary a Support Provision (Ex parte)



In the Supreme Court of Newfoundland and Labrador (General/Family)

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____
(Print full name)

NOT APPLICABLE
 SECOND APPLICANT
 SECOND RESPONDENT

This affidavit is made in support of an application by a person under section 7 of the *Family Orders and Agreements Enforcement Assistance Act*, R.C.S., 1985, c.4 (2nd Supp.) to assist with the establishment or variation of a support provision.

I, _____, of _____
(Print your name) (City and Province)

swear or affirm that:

- I, _____, am or will be seeking to have a support provision (check the one that apply):
(Print your name)
 - established; or
 - varied
- I make this affidavit in support of an application under section 7 of the *Family Orders and Agreements Enforcement Assistance Act*, R.S.C. 1985, c.4 (2nd Supp.) (the "FOAEAA") to request that the court make an

Affidavit (FOAEAA) - Establish or Vary

Supreme Court of Newfoundland and Labrador

order under section 10 of that Act to authorize an official of the court to apply for the release of information under section 12 of that Act for the above-mentioned purpose.

3. The application under section 7 of the FOAEAA is made for the following reasons:

<p>a. _____ _____</p> <p>b. _____ _____</p> <p>c. _____ _____</p>

4. The information to be requested under section 12 the FOAEAA relates to

(Name of the person to whom the requested information relates)

5. Reasonable steps have been taken to locate _____.
(Name of the person to whom the requested information relates)

Those steps are:

<p>a. _____ _____</p> <p>b. _____ _____</p> <p>c. _____ _____</p>

6. _____ has not been located.
(Name of the person to whom the requested information relates)

Paragraphs 7 to 9 must be completed where the Application is being filed by an individual. If applicable, provide details and supporting documentation for paragraphs 8 to 10.

7. The sole purpose of the application under section 7 of the FOAEAA is to obtain information to _____ a support provision.
(establish or vary)

Affidavit (FOAEAA) - Establish or Vary

Supreme Court of Newfoundland and Labrador

8. I (am / am not) subject to :

- any court order, agreement, undertaking or recognizance or any other document of a similar nature restricting communication or contact with

_____ ; and
(Name of the person or children to whom the requested information relates)

- any proceeding restricting communication or contact with

_____ .
(Name of the person or children to whom the requested information relates)

9. I (have / have not) caused or attempted to cause physical harm to

(Name of the person or children to whom the requested information relates)

or have caused them to fear for their or someone else's safety or security.

10. I (was / was not) charged with or found guilty of an offence against

(Name of the person or children to whom the requested information relates)

11. The information to be requested under section 12 of the FOAEAA is necessary to:

- establish a support provision; or
- vary a support provision

12. The information that is being requested for release under section 5(1) of the *Release of Information for Family Orders and Agreements Enforcement Assistance Regulations* (Canada) is as follows:

- The address of the person named in this application
- The name and address of the employer of the person named in this application
- The information related to the person named in this application, other than their Social Insurance Number, that is set out in the federal tax form(s) checked below, and that is requested for the following taxation year(s) unless otherwise specified beside the specific form:

(Specific taxation year(s) for which the information is requested)

Federal Tax Form(s)	Year(s) requested (if different than above)
Basic Information	
<input type="checkbox"/> Income Tax and Benefits Return (T1)	
<input type="checkbox"/> Schedule 1 – Federal Tax	
<input type="checkbox"/> Schedule 2 – Federal Amounts Transferred from your spouse or Common-Law Partner	
<input type="checkbox"/> Schedule 3 – Capital Gains (or Losses)	
<input type="checkbox"/> Schedule 4 – Statement of Investment Income	
<input type="checkbox"/> Schedule 5 – Amounts for Spouse or Common-Law Partner and Dependants	
<input type="checkbox"/> Schedule 6 – Canada Workers Benefit	
<input type="checkbox"/> Schedule 7 – RRSP, PRPP, and SPP Unused Contributions, Transfers, and HBP or LLP Activities	
<input type="checkbox"/> Schedule 8 – Canada Pension Plan Contributions and Overpayment	
<input type="checkbox"/> Schedule 9 – Donations and Gifts	
<input type="checkbox"/> Schedule 10 – Employment Insurance (EI) and Provincial Parental Insurance Plan (PPIP) Premiums	
<input type="checkbox"/> Schedule 11 – Federal Tuition, Education, and Textbook Amounts and Canada Training Credit	
<input type="checkbox"/> Schedule 12 – Home Expense Accessibility	
<input type="checkbox"/> Schedule 13 – Employment Insurance Premiums on Self-Employment and Other Eligible Earnings	
<input type="checkbox"/> Schedule 14 – Climate Action Incentive	
For non-resident and deemed residents:	
<input type="checkbox"/> Schedule A – Statement of World Income (for Non-Residents and Deemed Residents of Canada)	
<input type="checkbox"/> Schedule B – Allowable Amount of Non-Refundable Tax Credits (for Non-Residents of Canada)	
<input type="checkbox"/> Schedule C – Electing Under Section 217 of the Income Tax Act (for Non-Residents of Canada)	
<input type="checkbox"/> Notice of Assessment and Notice of Reassessment	
<input type="checkbox"/> Statement of Trust Income Allocations and Designations (T3)	
<input type="checkbox"/> Statement of Remuneration Paid (T4)	
<input type="checkbox"/> Statement of Pension, Retirement, Annuity, and Other Income (T4A)	
<input type="checkbox"/> Statement of Old Age Security (T4A(OAS))	
<input type="checkbox"/> Statement of Canada Pension Plan Benefits (T4A(P))	
<input type="checkbox"/> Statement of Distributions from a Retirement Compensation Arrangement (RCA) (T4A-RCA)	
<input type="checkbox"/> Statement of Employment Insurance and Other Benefits (T4E) or Statement of Employment Insurance and Other Benefits (Quebec) (T4EQ)	
<input type="checkbox"/> Statement of Employee Profit-Sharing Plan Allocations and Payments (T4PS)	
<input type="checkbox"/> Statement of Income from a Registered Retirement Income Fund (T4RIF)	
<input type="checkbox"/> Statement of RRSP Income (T4RSP)	
<input type="checkbox"/> Statement of Investment Income (T5)	
<input type="checkbox"/> Statement of Real Estate Rentals (T776)	
<input type="checkbox"/> Statement of Employment Expenses (T777)	

(January 2025)

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Affidavit (FOAEAA) - Establish or Vary

Supreme Court of Newfoundland and Labrador

<input type="checkbox"/> Government Service Contract Payments (T1204)	
<input type="checkbox"/> Statement of Farming Activities (T2042) and documents related to the AgriStability and AgrilInvest programs	
<input type="checkbox"/> Statement of Fishing Activities (T2121)	
<input type="checkbox"/> Statement of Business or Professional Activities (T2125)	
<input type="checkbox"/> Declaration of Conditions of Employment (T2200)	
<input type="checkbox"/> Statement of Benefits (T5007)	
<input type="checkbox"/> Statement of Securities Transactions (T5008)	
<input type="checkbox"/> Statement of Partnership Income (T5013)	
<input type="checkbox"/> Statement of Contract Payments (T5018)	

- The information that is set out in the federal tax form(s) specified in the attached annex(es) related to the corporation(s) identified below:

 (Name of the corporation)

 (Name of the corporation)

 (Name of the corporation)

13. The information will only be used for the purpose identified in this affidavit.

14. I make this affidavit in good faith.

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____.

 Signature

 Signature of Person Authorized to Administer Oaths

ANNEX



In the Supreme Court of
Newfoundland and Labrador
(General/Family)

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

Information requested concerning a person's corporation

In relation to the application of _____
(Full name of the party making application)

made pursuant to section 7 of the *Family Orders and Agreements Enforcement Assistance Act*, R.S.C., 1985, c.4 (2nd Supp.) (FOAEAA) for the purpose of _____ a support provision.
(establishing or varying)

The information is sought related to

(Name of the corporation)

that is controlled directly or indirectly within the meaning of subsection 256(5.1) of the *Income Tax Act*, RSC 1985, c.1 (5th Supp.) by

(Name of person against whom a support provision is sought or is to be varied)

and that are set out in the federal tax form(s) checked below and that can be found in federal information banks prescribed in section 2 of the *Release of Information for Family Orders and Agreements Enforcement Assistance Regulations*, SOR/2023-125:

- The information that is set out in the federal tax form(s) checked below is requested for the following taxation year(s) unless otherwise specified beside the specific form:

(Specific taxation year(s) for which the information is requested)

Affidavit (FOAEAA) - Establish or Vary

Supreme Court of Newfoundland and Labrador

Federal Tax Form(s)	Year(s) requested (if different than above)
<input type="checkbox"/> T2- Corporation Income Tax Return	
<input type="checkbox"/> Schedule 1 – Net Income (loss) for Income Tax Purposes	
<input type="checkbox"/> Schedule 5 – Tax Calculation Supplementary – Corporations (this provides details of any provincial tax or credits)	
<input type="checkbox"/> Schedule 6 – Summary of Dispositions of Capital Property	
<input type="checkbox"/> Schedule 100 – Balance Sheet Information	
<input type="checkbox"/> Schedule 50 – Shareholder Information	
<input type="checkbox"/> Schedule 125 – Income Statement Information	

(January 2025)

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Form F16.04B: Affidavit (FOAEAA) – Enforce Support Provision (Ex parte)



In the Supreme Court of Newfoundland and Labrador (General/Family)

FOR COURT USE ONLY	
COURT FILE NO:	_____
CENTRAL DIVORCE REGISTRY NO:	_____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20_____.	
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador	

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

This affidavit is made in support of an application by a person under section 7 of the *Family Orders and Agreements Enforcement Assistance Act*, R.S.C., 1985, c.4 (2nd Supp.) to assist with the enforcement of a support provision.

I, _____, of _____
(Print your name) (City and Province)

swear or affirm that:

- I make this affidavit in support of an application under section 7 of the *Family Orders and Agreements Enforcement Assistance Act*, R.S.C. 1985, c.4 (2nd Supp.) (the "FOAEAA") to request that the court make an order under section 10 of that Act to authorize an official of the court to apply for the release of information under section 12 of that Act for the above-mentioned purpose.

Affidavit (FOAEAA) – Enforce Support Order

Supreme Court of Newfoundland and Labrador

- 2. The application under section 7 of the FOAEAA is made for the following reasons (note, section 9 of the FOAEAA requires there to be an alleged breach of the support provision. You must set out particulars of the breach and identify the person in arrears):

a.	_____

b.	_____

c.	_____

- 3. The information to be requested under section 12 the FOAEAA relates to

_____.
(Name of the person to whom the requested information relates)

- 4. Reasonable steps have been taken to locate _____.
(Name of the person to whom the requested information relates)

Those steps are:

a.	_____

b.	_____

c.	_____

- 5. _____ has not been located.
(Name of the person to whom the requested information relates)

Paragraphs 6 to 9 must be completed where the Application is being filed by an individual. If applicable, provide details and supporting documentation for paragraphs 7 to 9.

- 6. The sole purpose of the application under section 7 of the FOAEAA is to obtain information to enforce a support provision.

- 7. I (am / am not) subject to:

any court order, agreement, undertaking or recognizance or any other document of a similar nature restricting communication or contact with

_____ ; and
(Name of the person or children to whom the requested information relates)

any proceeding restricting communication or contact with

_____.
(Name of the person or children to whom the requested information relates)

(January 2025)

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Affidavit (FOAEAA) – Enforce Support Order

Supreme Court of Newfoundland and Labrador

8. I (have / have not) caused or attempted to cause physical harm to

(Name of the person or children to whom the requested information relates)

or have caused them to fear for their or someone else's safety or security.

9. I (was / was not) charged with or found guilty of an offence against

(Name of the person or children to whom the requested information relates)

10. The information to be requested under section 12 of the FOAEAA is necessary to enforce a support provision.

11. The information that is being requested for release under section 5(2) of the *Release of Information for Family Orders and Agreements Enforcement Assistance Regulations* (Canada) is as follows

- The address of the person named in this application
- The name and address of the employer of the person named in this application

The information related to the person named in this application for preceding taxation year:

- The information set out in the person's Income Tax and Benefit Return (T1), other than their Social Insurance Number and information set out only in the schedules
- The information set out in the person's Notice of Assessment and Notice of Reassessment, other than their Social Insurance Number
- The name and address of each person and entity from which they received income and the amount of income received from each

12. The information will only be used for the purpose identified in this affidavit.

13. I make this affidavit in good faith.

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____.

Signature

Signature of Person Authorized to Administer Oaths

Form F16.04C: Affidavit (FOAEAA) - Enforce Parenting, Contact, Custody, or Access Provision (Ex parte)



In the Supreme Court of Newfoundland and Labrador (General/Family)

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

This affidavit is made in support of an application by a person under section 7 of the *Family Orders and Agreements Enforcement Assistance Act, R.C.S., 1985, c.4 (2nd Supp.)* to assist with the enforcement of a parenting, contact, custody, or access provision.

I, _____, of _____
(Print your name) (City and Province)

swear or affirm that:

1. I, _____, wish to enforce a provision of an order
(Your full name)

related to (check the one that apply):

- parenting;
- contact;
- custody; or
- access.

Affidavit (FOAEAA) - Enforce Parenting Contact Custody or Access

Supreme Court of Newfoundland and Labrador

- 2. I make this affidavit in support of an application under section 7 of the *Family Orders and Agreements Enforcement Assistance Act*, R.S.C. 1985, c.4 (2nd Supp.) (the "FOAEAA") to request that the court make an order under section 10 of that Act to authorize an official of the court to apply for the release of information under section 12 of that Act for the above-mentioned purpose.
- 3. The application under section 7 of the FOAEAA is made for the following reasons (section 9 of the FOAEAA requires that you set out particulars of the breach and identify the person that is believed to have with them the child or children who is or are the subject of the provision):

a.	
b.	
c.	

- 4. The information to be requested under section 12 the FOAEAA relates to _____.
(Name of the person to whom the requested information relates)

- 5. Reasonable steps have been taken to locate _____.
(Name of the person to whom the requested information relates)

Those steps are:

a.	
b.	
c.	

- 6. _____ has not been located
(Name of the person to whom the requested information relates)

Paragraphs 7 to 10 must be completed where the Application is being filed by an individual. If applicable, provide details and supporting documentation for paragraphs 8 to 10.

- 7. The sole purpose of the application under section 7 of the FOAEAA is to obtain information to enforce the order related to (check the one that apply):
 - parenting;
 - contact;
 - custody; or
 - access.

8. I (am / am not) subject to :
- any court order, agreement, undertaking or recognizance or any other document of a similar nature restricting communication or contact with _____; and
(Name of the person or children to whom the requested information relates)
 - any proceeding restricting communication or contact with _____.
(Name of the person or children to whom the requested information relates)
9. I (have / have not) caused or attempted to cause physical harm to _____
(Name of the person or children to whom the requested information relates)
- or have caused them to fear for their or someone else's safety or security.
10. I (was / was not) charged with or found guilty of an offence against _____.
(Name of the person or children to whom the requested information relates)
11. The information to be requested under section 12 of the FOAEA is necessary to enforce a provision of an order related to (check the one that apply):
- parenting;
 - contact;
 - custody; or
 - access.
12. The information that is being requested for release under section 5(4) of the *Release of Information for Family Orders and Agreements Enforcement Assistance Regulations* (Canada) is as follows:
- The address of the person named in this application
 - The name and address of the employer of the person named in this application
 - The name and address of the child or children who is or are subject of the provision to be enforced
 - The name and address of the employer of the child or children who is or are subject of the provision to be enforced

Affidavit (FOAEAA) - Enforce Parenting Contact Custody or Access

Supreme Court of Newfoundland and Labrador

13. The information will only be used for the purpose identified in this affidavit.

14. I make this affidavit in good faith.

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____.

Signature

Signature of Person Authorized to Administer Oaths

How to Make an Emergency Interim Application**Instructions**

You can make an **Emergency Interim Application (Form F17.03A)** if your family law issue requires **urgent** attention. This application can be made at any time, but you can **ONLY** make this application in a true emergency and if there is an **Originating Application (Form 4.03A)** or an **Originating Application for Variation (Form F5.05A)** before the Court.

When You Can Make an Emergency Interim Application

You can **ONLY** make an Emergency Interim Application if at least one of these situations applies to you:

- There is an immediate danger of a child's removal from the jurisdiction;
- There is an immediate danger to the physical, emotional or psychological safety and security of a child or another person; or
- Not granting an order would have immediate and irreversible consequences;

AND a judge is satisfied that notice to the other person is **NOT** required for one of the following reasons:

- The delay caused by providing notice would (or might) cause serious harm to you or your child(ren);
- There is urgency for another reason; or
- The circumstances make notice unnecessary.

Completing Your Application

You can fill out this form by hand or you can download and fill out this form electronically at <https://www.court.nl.ca/supreme/rules-practice-notes-and-forms/family/general/> (If you fill out the form electronically, you must still print the form and file it with the Court). You must fill out the entire form. If you need more space to fill out any section of this form, attach an extra page and indicate which section is continued on the extra page.

Filing Your Application

You must file your completed and signed Emergency Interim Application with the Court (including any additional documents). To file the Emergency Interim Application, you must bring it to the Supreme Court location where your file is or you can mail it to that location (with the filing fee attached). You can look up the fees online: <https://www.court.nl.ca/supreme/schedule-of-fees/>.

Serving Your Application and Directions on the Proceeding

You do not need to serve a copy of this application on the other person(s) (unless the Court orders otherwise). However, if your Emergency Interim Order is granted, the Court will schedule a date for the application, to be heard within 7 days of the date the order was made. If the Court provides a hearing date on Page 1, you will need to serve a copy of the application (with the hearing date), the Instructions on "How to Respond to an Emergency Interim Application" and a copy of the order on the other person(s) immediately by *personal service*. This means that an adult (who is not you) must hand-deliver the documents to the other person(s). Read any Court Order (or Endorsement) that you receive from the Court after filing this application carefully, as it will provide directions with respect to the proceeding and any future court dates that are not listed on Page 1. You must follow all directions given in any Court Order (or Endorsement) that you receive from the Court after filing this application.

More Information

Questions? Go to <https://www.court.nl.ca/supreme/family-division/> or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get professional legal advice ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE FILING THE APPLICATION ---

How to Respond to an Emergency Interim Application **Instructions****You have been served with an Emergency Interim Application.**

This means that the other person(s) in your family law proceeding asked the Court to grant an Emergency Interim Order. If the Court granted an Emergency Interim Order, a hearing date will be listed on Page 1 of the Emergency Interim Application. If you want to oppose the Emergency Interim Application, you must file ONE affidavit in response.

You can find an affidavit template form at any Supreme Court location or online: www.court.nl.ca/supreme/rules-practice-notes-and-forms/family/general/

Your affidavit should set out your position on the issues in the Emergency Interim Application and any important details or information.

You must serve a copy of your Affidavit on the other person(s) **at least 2 days before** the hearing date listed on the first page of the Emergency Interim Application. If an Emergency Interim Order is not granted, action may be required by you.

Read any attached Court Order (or Endorsement) and the Emergency Interim Application carefully. A Court Order (or Endorsement) will provide directions with respect to the proceeding. If there is no notice of hearing completed by the Court on the first page of the Emergency Interim Application, please read any attached Court Order (or Endorsement) to see if there are any further court dates set. You must follow all directions given in any attached Court Order (or Endorsement).

If you do not respond as directed or do not appear at a scheduled court hearing, the Court may proceed and make another Order (or Endorsement) without hearing from you.

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or (709) 722-2643

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

Form (F17.03A): Emergency Interim Application – For a Temporary Order (Family Law)



In the Supreme Court of
Newfoundland and Labrador
(General/Family)

FOR COURT USE ONLY	
COURT FILE NO:	_____
CENTRAL DIVORCE REGISTRY NO:	_____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20_____.	
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador	

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

FOR COURT USE ONLY	
HEARING DATE	
The hearing for this application is scheduled to be heard in the Supreme Court of Newfoundland and Labrador:	
Location:	Supreme Court in _____, Newfoundland and Labrador
Address:	_____
Date:	_____
Time:	_____ am / pm

I, _____, the Applicant Respondent Other:
(Print Name)

am seeking an emergency interim order without notice to any other party.

Part A Basis of request

In order to make an Emergency Interim Application, you must be able check AT LEAST ONE of the requirements below:

- There is an immediate danger of a child’s removal from the jurisdiction
- There is an immediate danger to the physical, emotional or psychological safety and security of a child or another person
- There would be immediate and irreversible consequences if the order is not granted

In order to make an Emergency Interim Application, you must also be able check AT LEAST ONE of the requirements below:

- The delay in giving notice would or may impose serious harm or prejudice on you or your child(ren).
- There is a degree of urgency or another reason that makes it inappropriate to give notice.
- The circumstances of the case make notice to the other party unnecessary.
- A statute permits (indicate the title and section of the statute): _____

Part B Emergency order sought

Fill in the details of the emergency order that you are seeking:

[Empty box for details of the emergency order sought]

Part C **Reasons for seeking emergency order (Affidavit)**

Fill in the facts and reasons why you are seeking an emergency order:

How to Make an Application for Judgment**Instructions**

An **Application for Judgment (Form F26.02A)** is a form that you may use to apply for judgment in an uncontested proceeding. If any of the following applies to your situation, your matter is an uncontested proceeding:

- The Respondent failed to file and serve a Response within the prescribed time (and a Notice of Default (Form F6.06A) has been filed);
- The Response has been withdrawn or struck out;
- The Respondent filed a Response stating that they are not contesting a claim in the Application;
- The Applicant failed to file a Reply in relation to a claim against them made in the Response within the prescribed time (and a Notice of Default (Form F6.06A) has been filed);
- The Reply has been withdrawn or struck out;
- The Applicant filed a Reply stating that they are not contesting a claim in the Response;
- The parties have applied together for the same relief; or
- Each party to the proceeding consents to a draft judgment or order.

Completing Your Application for Judgment

You can fill out this form by hand or you can download and fill out this form electronically at <https://www.court.nl.ca/supreme/rules-practice-notes-and-forms/family/general/> (you must still print the form and file it with the Court). You must fill out the entire Application for Judgment form. If you need more space to fill out any section of this form, attach an extra page and indicate which section is continued. You cannot address multiple sections on the same extra page.

Filing Your Application for Judgment

To file your Application for Judgment, bring it to the Supreme Court location where your family law file is or mail the Application to that Supreme Court location. Before you file it, you should make an extra copy of your completed and signed Application for Judgment for your own records.

If you are applying for a divorce, you must also file: 1) a draft **Divorce Judgment (Form F26.03A)** along with 2 extra copies of that Divorce Judgment. You can get a Divorce Judgment form from any Supreme Court location or online: <https://www.court.nl.ca/supreme/rules-practice-notes-and-forms/family/general/> and 2) a **Notice of Default (Form F6.06A)** if the other party failed to file a Response or Reply within the prescribed time.

If applying for other relief, you must also file: 1) a typed draft **Order** along with 1 extra copy of that Order. You can get an Order form from any Supreme Court location or online: <https://www.court.nl.ca/supreme/rules-practice-notes-and-forms/family/general/> and 2) a **Notice of Default (Form F6.06A)** if the other party failed to file a Response or Reply within the prescribed time.

Serving Your Application for Judgment

You do not have to give a copy of this Application to the other person unless they have filed a **Demand for Notice (Form F6.04A)**.

More Information

Questions? Go to <https://www.court.nl.ca/supreme/family-division/> or contact a Court near you:

Corner Brook: (709) 637-2227
Gander: (709) 256-1115
Grand Bank: (709) 832-1720

Grand Falls-Windsor: (709) 292-4260
Happy Valley-Goose Bay: (709) 896-7892
St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788
Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE FILING THIS APPLICATION ---

Form F26.02A: Application for Judgment (Family Law)

(for uncontested family law proceedings)



**In the Supreme Court of
Newfoundland and Labrador
(General/Family)**

FOR COURT USE ONLY	
COURT FILE NO:	_____
CENTRAL DIVORCE REGISTRY NO:	_____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.	
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador	

BETWEEN: _____ APPLICANT or CO-APPLICANT
(Print full name)

AND: _____ RESPONDENT or CO-APPLICANT
(Print full name)

AND: _____

NOT APPLICABLE
 SECOND APPLICANT
 SECOND RESPONDENT
 CO-APPLICANT

(Print full name)

Part A The Order(s) Sought

Check the type of order(s) that you are seeking and provide a brief description:

<input type="checkbox"/> Divorce:
<input type="checkbox"/> Parenting (Decision-making and/or Parenting time):
<input type="checkbox"/> Contact Order/ Third Party Time with Child:
<input type="checkbox"/> Child Support:
<input type="checkbox"/> Spousal (<i>married</i>) Support or Partner (<i>unmarried</i>) Support:
<input type="checkbox"/> Parental Support (<i>for parents</i>) or Dependant Support (<i>for someone other than parents or child</i>):
<input type="checkbox"/> Division of Matrimonial (<i>married</i>) Property or Common Law (<i>unmarried</i>) Property:
<input type="checkbox"/> Consent Order:
<input type="checkbox"/> Other:

Part B Basis for Application for Judgment

Check the box that applies to your situation:

<input type="checkbox"/> The Respondent failed to file and serve a Response within the prescribed time.
<input type="checkbox"/> The Response has been withdrawn or struck out.
<input type="checkbox"/> The Respondent filed a Response stating that they are not contesting the claim(s) made in the Application.
<input type="checkbox"/> The Applicant failed to file a Reply in relation to a claim against them made in the Response within the prescribed time.
<input type="checkbox"/> The Reply has been withdrawn or struck out.
<input type="checkbox"/> The Applicant filed a Reply stating that they are not contesting the claim(s) made in the Response.
<input type="checkbox"/> The Co-Applicants filed a Joint Originating Application for the same relief.
<input type="checkbox"/> The Applicant and the Respondent have consented to the draft judgment or draft order.

Part C Relevant Documents

Check the following documents that support your claims as they relate to the order that you are seeking:
(Attach any documents that you have not already filed with the court)

<input type="checkbox"/> Originating Application	<input type="checkbox"/> Property Statement of the Applicant
<input type="checkbox"/> Originating Application for Variation	<input type="checkbox"/> Property Statement of the Respondent
<input type="checkbox"/> Joint Originating Application	<input type="checkbox"/> Affidavit of Service
<input type="checkbox"/> Joint Originating Application for Variation	<input type="checkbox"/> Previous Court Order(s)
<input type="checkbox"/> Response	<input type="checkbox"/> Domestic Contract (eg. Separation Agreement)
<input type="checkbox"/> Demand for Notice	<input type="checkbox"/> Certificate (or Registration) of Marriage
<input type="checkbox"/> Notice of Default	<input type="checkbox"/> Order dispensing with Certificate of Marriage
<input type="checkbox"/> Reply	<input type="checkbox"/> 1 self-addressed, stamped envelope with the Applicant's address
<input type="checkbox"/> Financial Statement of the Applicant	<input type="checkbox"/> 1 self-addressed, stamped envelope with the Respondent's address
<input type="checkbox"/> Financial Statement of the Respondent	<input type="checkbox"/> Draft Divorce Judgment and/or other draft orders
<input type="checkbox"/> Other:	

- Check this box if you are Co-Applicants (filed a Joint Originating Application or Joint Originating Application for Variation). If you are Co-Applicants, you do not need to fill in Part D.

Part D Service of Originating Application or Response

Fill in the details of the service of the Originating Application, Originating Application for Variation, or Response.

Name of person served:			
Date of service:	Month:	Day:	Year:
Address of service:			
	<i>Street Address</i>	<i>City</i>	<i>Province</i> <i>Postal Code</i>
Method of service:	For Originating Application or Response (involving divorce and/or parenting): <input type="checkbox"/> Personal service <input type="checkbox"/> Substituted service as ordered by the Court		
	For Originating Application or Response (involving claims other than divorce and/or parenting): <input type="checkbox"/> Personal service <input type="checkbox"/> Leaving a copy with the Respondent's lawyer <input type="checkbox"/> Leaving a copy at the Respondent's address (and mailing a copy to the same address that day or the following day) <input type="checkbox"/> Regular mail <input type="checkbox"/> Registered mail/Courier <input type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Electronic document exchange or other electronic form of communication <input type="checkbox"/> Substituted service as ordered by the Court		

- Check this box if you are Co-Applicants (filed a Joint Originating Application or Joint Originating Application for Variation). **Both Co-Applicants must fill out Part E. Make a copy of pages 4-6 for the second Co-Applicant.** Attach both affidavits to this Application for Judgment.

Part E Affidavit

I, _____, of _____
(Print your name) (City/Town and Province)

swear or affirm and say as follows:

- I have personal knowledge of the facts in this affidavit, except where stated to be information learned from someone else and where that is stated, I believe the information to be true.
- Other Proceedings
 No other legal proceedings have been commenced by me or the other party with reference to the marriage, cohabitation, parenting, support, or division of property, except as follows:

3. Agreements or Contracts

Check the box that applies to your situation:

There are no agreements or contracts between me and the other party.

OR

There are agreements or contracts between me and the other party.
If the agreement or contract has not been filed with the Court, attach a copy of the agreement or contract to this form.

The agreement or contract deals with the following issues (eg. parenting, child support, property, etc.):

4. Changes to Pleadings

Check the box that applies to your situation:

There have been no changes to the contents in my:

<input type="checkbox"/> Originating Application	<input type="checkbox"/> Originating Application for Variation	<input type="checkbox"/> Interim Application
<input type="checkbox"/> Response	<input type="checkbox"/> Other:	

There have been changes to the contents in my:

<input type="checkbox"/> Originating Application	<input type="checkbox"/> Originating Application for Variation	<input type="checkbox"/> Interim Application
<input type="checkbox"/> Response	<input type="checkbox"/> Other:	

Fill in the details of the changes to the contents:

If there is a change in your financial circumstances since the filing of the Originating Application, Originating Application for Variation, Interim Application, Response, Financial Statement, and/or Property Statement, you must file and serve updated documents.

5. Divorce (if applicable)

In order to apply for a divorce, you must be able to satisfy ALL of the requirements below:

There is no prospect of reconciliation of the marriage between the other party and myself.

The other party and I have remained living separate and apart from the date of our separation to the date of this Affidavit.

If you have a child or children:

Applicant or Co-Applicant's Annual Income:	\$	
Respondent or Co-Applicant's Annual Income:	\$	

Reasonable arrangements have been made for the support of the child(ren). Provide details:

Check this box if you are seeking an earlier date of effect for a divorce judgment. You must fill out a Request for Earlier Date for a Divorce Judgment form.

6. Support (if applicable)

Check the box that applies to your situation:

I am claiming support.

I know/believe the other party's income to be: \$ _____ per year.

If you are seeking child support and the other party has not filed income information, you must provide sufficient information of the other party's income.

I am not claiming support.

Sufficient financial arrangements have been made for the care of the child(ren).

7. Costs (if applicable)

Costs are claimed in the amount of \$ _____ for the following reasons:

8. Service of Judgment:

The present address of the other party where service of the judgment may be made is:

I know/believe that this is the address of the other party because:

Service of the judgment upon the other party should be dispensed with for the following reasons:

Statement of Truth

You must swear or affirm that the facts and information that you have written in this Application for Judgment and Affidavit is the truth. You must swear or affirm and sign this Statement of Truth in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this application at the Court when you file it.

I declare the facts and information of this Application for Judgment and Affidavit are true to the best of my knowledge and belief.

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20_____.

Signature Signature of Person Authorized to Administer Oaths

How to do a Consent Order**Instructions**

If you and the other person have come to an agreement on all of your family law issues, you can do a Consent Order. You can use this **Consent Order (Form F34.02A)** template to draft the agreement between you and the other person. By signing a Consent Order, you acknowledge that the terms of the Order will be enforced. Before you sign a Consent Order, both you and the other person should get advice from separate lawyers.

You can only file a Consent Order if you already have an **Originating Application (Form F4.03A)**, **Originating Application for Variation (Form F5.05A)**, **Joint Originating Application (Form F4.04A)**, or **Joint Originating Application for Variation (Form F5.06A)** filed with the Court. If you do not one of those documents filed with the Court, you must complete one and file it at the same time as your Consent Order.

If there are any issues that you and the other person do not agree on, you must set out these issues in an **Originating Application (Form F4.03A)** or **Originating Application for Variation (Form F5.05A)**. You can still do a Consent Order on the issues you agree on.

Completing Your Consent Order

You can fill out this form by hand or you can download and fill out this form electronically at <https://www.court.nl.ca/supreme/rules-practice-notes-and-forms/family/general/> (You must still print the form and file it with the Court).

Check off “Final Order on Consent” (on the first page) if you are consenting to a final order. Check off “Interim Order on Consent” (on the first page) if you are consenting to an interim order.

Consent Orders dealing with child, spousal, partner, parental, or dependant support, must be separated from other types of orders. If you are consenting to support, fill out this **Consent Order – Support**. For all other Consent Orders (eg. parenting or property), fill out a **Consent Order – Other than Support (Form F34.02B)**.

If you need more space to fill out any section of this form, attach an extra page and indicate which section is continued on the extra page.

Filing Your Consent Order

You must make **2 extra copies** of your completed and signed consent Order. To file it, you must bring the original Consent Order to the same Court location where the Originating Application, Originating Application for Variation, Joint Originating Application, or Joint Originating Application for Variation was filed. You can also mail the Consent Order to that Supreme Court location.

More Information

Questions? Go to <https://www.court.nl.ca/supreme/family-division/> or contact a Court near you:

Corner Brook: (709) 637-2227
Gander: (709) 256-1115
Grand Bank: (709) 832-1720

Grand Falls-Windsor: (709) 292-4260
Happy Valley-Goose Bay: (709) 896-7892
St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788
Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE FILING THE ORDER ---

F34.02A: Consent Order – Support (Family Law)



In the Supreme Court of
Newfoundland and Labrador
(General/Family)

FOR COURT USE ONLY	
COURT FILE NO:	_____
CENTRAL DIVORCE REGISTRY NO:	_____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20_____.	
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador	

BETWEEN: _____ APPLICANT
(Print full name) CO-APPLICANT

AND: _____ RESPONDENT
(Print full name) CO-APPLICANT

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT
 CO-APPLICANT

BEFORE the Honourable Justice _____, on _____
(Print Name) *(Date: month/day/year)*

<input type="checkbox"/> Final Order on Consent <input type="checkbox"/> Interim Order on Consent

IT IS ORDERED THAT under the:

- Family Law Act (Newfoundland and Labrador):
- Divorce Act (Canada):
- _____

Child Support

Basic Table Amount

The parties agree to an amount of child support according to the basic table amount as per the *Child Support Guidelines* of (province) _____ as follows:

Total monthly payment amount: \$ _____ Payor's annual income: \$ _____

Paid by: (name) _____ to: (name) _____

To be paid pursuant to the following payment schedule:

- \$ _____ monthly on the _____ day of each and every month OR
- Installments of \$ _____ to be paid _____.
(e.g., weekly; dates of payments per month, etc.)

For the following child(ren): (names and dates of birth) _____

Commencement date: (month/day/year) _____

OR

Amount Different from the Basic Table Amount (Shared Parenting or Split Parenting)

The parties agree to an amount of child support that is different from the *Child Support Guidelines* of (province) _____ as follows:

Applicant or Co-Applicant 1's annual income: \$ _____

Total monthly payment amount: \$ _____

Paid by: (name) _____ to: (name) _____

To be paid pursuant to the following payment schedule:

- \$ _____ monthly on the _____ day of each and every month OR
- Installments of \$ _____ to be paid _____.
(e.g., weekly; the 1st and 15th day per month, etc.)

For the following child(ren): (names and dates of birth) _____

Commencement date: (month/day/year) _____

--- AND ---

Respondent or Co-Applicant 2's annual income: \$ _____

Total monthly payment amount: \$ _____

Paid by: (name) _____ to: (name) _____

To be paid pursuant to the following payment schedule:

- \$ _____ monthly on the _____ day of each and every month OR
- Installments of \$ _____ to be paid _____.
(e.g., weekly; the 1st and 15th day per month, etc.)

For the following child(ren): (names and dates of birth) _____

Commencement date: (month/day/year) _____

--- SET OFF (if split parenting) or AMOUNT (if shared parenting) ---

Total monthly payment amount: \$ _____

Paid by: (name) _____ to: (name) _____

To be paid pursuant to the following payment schedule:

- \$ _____ monthly on the _____ day of each and every month OR
- Installments of \$ _____ to be paid _____.
(e.g., weekly; the 1st and 15th day per month, etc.)

Commencement date: (month/day/year) _____

OR

Amount Different from the Basic Table Amount

The parties agree to an amount of child support that is different from the *Child Support Guidelines* of (province) _____ as follows:

Total monthly payment amount: \$ _____

Paid by: (name) _____ to: (name) _____

To be paid pursuant to the following payment schedule:

- \$ _____ monthly on the _____ day of each and every month OR
- Installments of \$ _____ to be paid _____.
(e.g., weekly; the 1st and 15th day per month, etc.)

For the following child(ren): (names and dates of birth) _____

Commencement date: (month/day/year) _____

Payor's annual income: \$ _____ Recipient's annual income: \$ _____

Reason or further details:

Special and/or Extraordinary Expenses

The parties agree to an amount of special and/or extraordinary expenses as follows:

Child's Name and date of birth	Description of Expense	Total Amount of Expense (per month)	Payor's Share or Contribution (\$ or %) (per month)	Frequency of Payment	Commencement Date (month/day/year)
		\$			
		\$			
		\$			
		\$			
		\$			

Other special expenses and/or details:

Paid by: (name) _____ to: (name) _____

Payor's annual income: \$ _____ Recipient's annual income: \$ _____

Parties will send receipts to Support Enforcement.

Retroactive Child Support

The parties agree to an amount of retroactive child support as follows:

Payment amount: \$ _____ per month OR \$ _____ lump sum

Paid by: (name) _____ to: (name) _____,

representing the payor's child support obligations from (date: month/day/year) _____

to (date: month/day/year) _____

To be paid pursuant to the following payment schedule:

- \$ _____ monthly on the _____ day of each and every month OR
- Installments of \$ _____ to be paid _____.
(e.g., weekly; the 1st and 15th day per month, etc.) OR
- One \$ _____ lump sum payment.

For the following child(ren): *(names and dates of birth)* _____
 Commencement/Payment date: *(month/day/year)* _____

Arrears

The parties agree that the outstanding child support amount owed, fixed at *(arrears)* \$ _____ as of *(date)* *(month/day/year)* _____, shall be paid as follows:
 Payment amount: \$ _____ per month OR \$ _____ lump sum
 Paid by: *(name)* _____
 to: *(name or agency, if assigned)* _____

To be paid pursuant to the following payment schedule:

- \$ _____ monthly on the _____ day of each and every month OR
- Installments of \$ _____ to be paid _____.
(e.g., weekly; the 1st and 15th day per month, etc.) OR
- One \$ _____ lump sum payment.

For the following child(ren): *(names and dates of birth)* _____
 Commencement/Payment date: *(month/day/year)* _____

Disclosure (Payor)

Pursuant to section 25 of the *Federal Child Support Guidelines (Canada)* (or section 23 of the provincial *Child Support Guidelines Regulations*), *(name)* _____ shall provide a copy of the his/her income tax return and notice of assessment to *(name)* _____ on or before *(date: month/day/year)* _____ each year, commencing in the year _____.

Disclosure (Recipient) (if applicable)

Pursuant to section 25 of the *Federal Child Support Guidelines (Canada)* (or section 23 of the provincial *Child Support Guidelines Regulations*), *(name)* _____ shall provide a copy of the his/her income tax return and notice of assessment to *(name)* _____ on or before *(date: month/day/year)* _____ each year, commencing in the year _____.

Support Enforcement

All amounts owing under this Order shall be paid directly to the Director of Support Enforcement at:
 Support Enforcement Division
 P.O. Box 2006
 Corner Brook, Newfoundland and Labrador A2H 6J8

This order shall be enforced by the Director of Support Enforcement pursuant to the *Support Orders Enforcement Act, 2006, SNL 2006, Chapter S-31.1*, unless the Order is withdrawn from the Director, pursuant to s.7 of the Act.

Support Recalculation

(You can only check this box if all parties have agreed to basic table amount of child support and either primary residence parenting or split parenting.)

The amount of child support shall be reviewed each year and, where necessary, will be recalculated by the Recalculation Office in accordance with the *Administrative Recalculation of Child Support Regulations*.

COMMENCEMENT DATE OF CHILD SUPPORT:

- (a) The commencement date of child support pursuant to this order is the ____ day of (month) _____ of (year) _____.

REVIEW DATE:

- (b) The child support amount will be reviewed one year after the date set out in clause (a) above.

INCOME INFORMATION REQUIREMENTS AND DUE DATE:

- (c) The person required to pay child support must provide the following income information to the Recalculation Office:
- (i) Personal income tax return for the most recent taxation year; and
 - (ii) Notice of assessment and any reassessments for the most recent taxation year; or
 - (iii) other document(s) acceptable to the Recalculation Office.

- (d) The income information must be provided to the Recalculation Office **not later than 45 days before the review date** at:

Recalculation Office
9th floor, Sir Richard Squires Building
P.O. Box 2006, Corner Brook, NL A2H 6J8
Tel: (709) 634-4172 | Fax: (709) 634-4155
E-mail: recalculation@gov.nl.ca

RECALCULATION – WHERE INCOME INFORMATION IS PROVIDED

- (e) If satisfactory income information is received by the Recalculation Office at least 45 days before the review date, the Recalculation Office will issue a Recalculation Notice setting out the proposed recalculated child support amount.
- (f) If, as a result of the recalculation, the amount of child support would increase or decrease less than \$5.00 per month, the Recalculation Office will not recalculate the amount of child support. The Recalculation Office will notify the parties that there will be no change for that year.

RECALCULATION – WHERE INCOME INFORMATION IS NOT PROVIDED

- (g) If satisfactory income information is not received by the Recalculation Office at least 45 days before the review date, the Recalculation Office will issue a Recalculation Notice setting out the proposed recalculated child support amount. This amount will be:

- (i) the income amount on which the most recent child support order, agreement, or Recalculation Notice was based; plus
- (ii) 20% of the payor's income as determined under (g)(i) above.

EFFECTIVE DATE OF RECALCULATED AMOUNT

- (h) Unless a Notice of Objection is filed, the recalculated amount of child support stated in the Recalculation Notice will come into effect on the date set out in the Recalculation Notice. The Recalculation Office will file a copy of the Recalculation Notice with the court that made the child support order (or where the agreement is filed) and the Support Enforcement Agency.
- (i) The recalculated amount of child support is payable to the Support Enforcement Agency:

Support Enforcement Division
2nd floor, Sir Richard Squires Building
P.O. Box 2006, Corner Brook, NL A2H 6J8
Tel: (709) 637-2608

OBJECTION TO RECALCULATION

- (j) If a party objects to the change in child support amount in the Recalculation Notice, the party must file a Notice of Objection with the court that made the child support order, or where the agreement was filed. The party must also provide a copy of the Notice of Objection to the Recalculation Office.
- (k) The Notice of Objection must be filed within 30 days after the Notice of Recalculation is deemed to be received.
- (l) If a Notice of Objection is filed, no change shall be made to the amount of child support payable unless:
 - (i) a court order is made at the conclusion of the objection hearing; or
 - (ii) the Notice of Objection is withdrawn before the objection hearing, in which case the recalculated amount of child support is considered to have come into effect on the date set out in the Recalculation Notice.

CHANGE OF CONTACT INFORMATION

Parties must notify the Recalculation Office of any change to their mailing address, email address, telephone number, or fax number within 10 days of the change.

Support Recalculation – Shared or Hybrid parenting

(You can only check this box if all parties have agreed to an amount different from the basic table amount and either shared parenting or hybrid parenting.)

On or before June 1st each year commencing in 20___, each party shall provide the other with a copy of their Income Tax Return and Notices of Assessment and Reassessment (if any) for the previous year. If a Notice of Assessment or Reassessment has not been received by either party by June 1st, that party shall advise the other of same on or before June 1st. Once the Notice of Assessment or Reassessment is received, it shall be immediately forwarded to the other party.

Within seven (7) days of exchange of the Notices of Assessments/Reassessment, the parties shall complete and sign the Recalculation Form in Schedule "A", if the parties agree on the revised amounts payable, based on their incomes. Should either party refuse to execute the Recalculation Form, they shall provide the other party notice of same within seven (7) days of exchange of the Notices of Assessment/Reassessment.

The parties shall file the completed form with the Court. The Court shall forward the Recalculation Form to the Director of Support Enforcement at:

Support Enforcement Division
P.O. Box 2006
Corner Brook, Newfoundland and Labrador A2H 6J8

The terms of the Recalculation Form shall be enforced by the Director of Support Enforcement pursuant to the *Support Orders Enforcement Act*, 2006, SNL 2006, Chapter S-31.1, unless the Recalculation Form is withdrawn from the Director, pursuant to s.7 of the *Act*.

<input type="checkbox"/>	Other:

Spousal, Partner, Parental, or Dependant Support

No Spousal, Partner, Parental, and/or Dependant Support

The parties agree that there will be no spousal, partner, parental, and/or dependant support to either party.

Ongoing Support

The parties agree to an amount of:

Spousal support **Parental support** **Partner support** **Dependant support**

as follows:

Total Monthly Payment amount: \$ _____

Paid by: (name) _____ to: (name) _____

For the following person(s): (names) _____

To be paid pursuant to the following payment schedule:

- \$ _____ monthly on the _____ day of each and every month OR
- Installments of \$ _____ to be paid _____.
(e.g., weekly; the 1st and 15th day per month, etc.)

Commencement date: (month/day/year) _____

Duration (if applicable): _____

Review date (if applicable): (month/day/year) _____

Nature of Review (if applicable): _____

Retroactive Support

The parties agree to an amount of **retroactive**:

Spousal support **Parental support** **Partner support** **Dependant support**

as follows:

Total Monthly Payment amount: \$ _____

Paid by: (name) _____ to: (name) _____, representing
the payor's support obligations from (date: month/day/year) _____ to (date: month/day/year) _____

For the following person(s): (names) _____

To be paid pursuant to the following payment schedule:

- \$ _____ monthly on the _____ day of each and every month OR
- Installments of \$ _____ to be paid _____.
(e.g., weekly; the 1st and 15th day per month, etc.)

Commencement date: (month/day/year) _____

Arrears

The parties agree that the outstanding support amount owed, fixed at (*arrears*) \$ _____
 as of (*date: month/day/year*) _____, shall be paid off as follows:
 Payment amount: \$ _____ per month OR \$ _____ lump sum
 Paid by: (*name*) _____
 to: (*name or agency, if assigned*) _____

To be paid pursuant to the following payment schedule:

- \$ _____ monthly on the _____ day of each and every month OR
- Installments of \$ _____ to be paid _____.
 (*e.g., weekly; the 1st and 15th day per month, etc.*)
- One \$ _____ lump sum payment.

Commencement/Payment date: (*month/day/year*) _____

The parties agree to the financial arrangement for support as follows:

Consent Signatures (if applicable)

If applicable, both parties must sign the Consent Order in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this Consent Order at the Court when you file it.

Applicant (or Co-Applicant)

DATE (month/day/year): _____
Signature of Applicant (or Co-Applicant)
Address of Applicant (or Co-Applicant)
Signature of Person Authorized to Administer Oaths

Respondent (or Co-Applicant)

DATE (month/day/year): _____
Signature of Respondent (or Co-Applicant)
Address of Respondent (or Co-Applicant)
Signature of Person Authorized to Administer Oaths

Applicant's (or Co-Applicant's) Lawyer (if any)

DATE (month/day/year): _____
Signature of Lawyer
Print name of Lawyer

Respondent's (or Co-Applicant's) Lawyer (if any)

DATE (month/day/year): _____
Signature of Lawyer
Print name of Lawyer

FOR COURT USE ONLY
Order Issued at:
Location: Supreme Court in _____, Newfoundland and Labrador
Date: _____
_____ Justice or Registry Clerk of the Supreme Court of Newfoundland and Labrador

**Notice of Inter-Jurisdictional
Support Application****Instructions**

You are receiving this Notice of Inter-Jurisdictional Support Application because a former spouse (referred to throughout these documents as the “Applicant”) who lives in another jurisdiction has started an application to obtain, vary, rescind or suspend a support order, naming you as the Respondent. This application will be heard in the Supreme Court of Newfoundland and Labrador.

A copy of the application is attached to this Notice.

This instruction sheet sets out how to respond to this application.

What documents do I have to complete and file?

The Response (Form F6.02A) is the form you use to respond to an Application. A copy of that Form is included with this Notice (you can get a PDF or Word copy of this Form on the Supreme Court’s website – see the link below). In the Response, you set out what your position is on the family law issues. You may also make your own claims in your Response. There are additional instructions for filing out the Response included with that Form.

You must also complete a Financial Statement (Form F10.02A). A copy of that Form is also attached (you can get a PDF or Word copy of this Form on the Supreme Court’s website – see the link below). There are additional instructions for filing out the Financial Statement included with that Form.

When do the Response and Financial Statement have to be filed with the Court?

You have 30 days from the date this Notice is served upon you to file your Response and Financial Statement with the court’s Registry. You must also serve a copy of these documents on the Applicant. More information on filing and service is provided in the instructions for the Response form.

If you do not respond, the Court may proceed and make an order without hearing from you.

More Information

Questions? Go to <https://www.court.nl.ca/supreme/family-division/> or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John’s: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

Form F35.03A: Notice of Inter-Jurisdictional Support Application (Family Law)



In the Supreme Court of Newfoundland and Labrador (General/Family)

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

You are hereby notified that the Applicant named above has started an application against you to obtain, vary, rescind or suspend, retroactively or prospectively, a support order under the *Divorce Act*. A copy of the application is attached to this Notice. This application will be heard in the Supreme Court of Newfoundland and Labrador. Details on the hearing date can be found on _____.

You must, **within 30 days** of the receipt of this Notice, file a completed Response (Form F6.02A) and Financial Statement (Form F10.02A) with the Registry of the Supreme Court of Newfoundland and Labrador at _____.

If you do not respond as required, the Supreme Court may proceed with this matter in your absence and make an order against you.

FOR COURT USE ONLY
HEARING DATE
A hearing for this application is scheduled to be heard in the Supreme Court of Newfoundland and Labrador:
Location: Supreme Court in _____, Newfoundland and Labrador
Address: _____
Date: _____ Time: _____ am / pm