

Application for Consent Orders

Form 11 – Family Court Rules – Rule 166(1)(b)

Please type or print clearly and mark [X] all boxes that apply. Attach extra pages if you need more space to answer any question/s.

Filed in:

☒ Family Court of Western Australia

☐ Other (specify)

COURT USE ONLY

File number _____

Filed at

Filed on

Notice to the parties

- Each party to the application must sign an affidavit - for an applicant in accordance with Part I and for a respondent in accordance with Part K.
- The application must be filed promptly. The consent order may not be made if the application is not filed within 90 days of the date of the first affidavit (see Parts I and K).
- Each copy of the proposed orders by consent must be certified by the applicant or lawyer as a true copy.
- If an order or injunction is sought under Part VIIIAA or Part VIIIB of the Family Law Act (or the Family Court Act equivalent) the third party must be named as a respondent to this application and must sign the draft consent order. The third party must also sign an affidavit in accordance with Part M of the form but is not required to complete any other Part.

Part A About the parties

APPLICANT

1 What is your family name as used now?

Pete

Given names?

Pegleg

☒ Male ☐ Female

2 What is your usual occupation?

Pirate for Hire

3 What is your contact address (address for service) in Australia? If you give a lawyer's address, include the name of the law firm. You must give an email address.

3 Petes Hideout

State: NSW Postcode 2000

Phone: 0406778909 Fax *:

Lawyer's code:

Email *:

RESPONDENT

What is your family name as used now?

Pete

Given names?

Sheilaleave

☐ Male ☒ Female

What is your usual occupation?

House wife

What is your contact address (address for service) in Australia? If you give a lawyer's address, include the name of the law firm. You must give an email address.

Please Send All Correspondence To My Lawyer

I Will Be On An Island Somewhere In The Mediterranean

State: Greece Postcode:

Phone: 0409889079 Fax *:

Lawyer's code:

Email *:

* Please do not include email or fax addresses unless you are willing to receive documents from the Court and other parties in that way.

APPLICANT**RESPONDENT**

4 When and in what country were you born?

DAY/MONTH/YEAR COUNTRY

19/02/1982 Australia

When and in what country were you born?

DAY/MONTH/YEAR COUNTRY

29/05/1986 Australia

5 Are you of Aboriginal and/or of Torres Strait Islander origin?

☐ No☐ Aboriginal☐ Torres Strait Islander☐ Aboriginal and Torres Strait Islander

Are you of Aboriginal and/or of Torres Strait Islander origin?

☐ No☐ Aboriginal☐ Torres Strait Islander☐ Aboriginal and Torres Strait Islander

- ♦ You are not required to answer this question, but it will greatly assist the Court if you do. The information sought is being collected to assist the Court in planning and delivering client services. It is possible that you may be contacted to participate in a review of a particular aspect of the Court's services, although your right not to participate will be respected. The information you provide may be shared with researchers approved by the Court, and may be included in publications in statistical form in a way that does not identify you.

If there is more than one applicant or respondent, attach an extra page with the details for Applicant 2 / Respondent 2, answering Items 1-5. A third party who will be bound by an order sought under Part VIIIAA or Part VIIIB of the Family Law Act must be named as a respondent but need not complete any of this form except Part M.

Part B**About the relationship of the parties**NOT
APPLICABLE

6 When did you begin living together?

DATE 12/10/2017

☐

7 If married, when and where did you get married? TOWN/CITY COUNTRY

DATE

☒

8 When did you finally separate?

DATE 18/02/2021

☐

9 When and where did you get divorced? TOWN/CITY COUNTRY

DATE

☒

Part C

About other Court cases and orders

IF YOU ARE SEEKING **PARENTING ORDERS**, ANSWER ITEMS 10 TO 13.

IF YOU ARE SEEKING **FINANCIAL ORDERS**, ANSWER ITEMS 10 TO 12 AND 14 TO 19.

- 10 Are there any **ongoing cases** in this or any other court about family law, child support, family violence or child welfare that involve and of the parties of any of the children listed on this form?

☒ **No**

☐ **Yes** PLEASE GIVE THE FOLLOWING DETAILS

Court name and place

Next Court date

State the names of the parties

State the nature of the orders sought (**NUMBER EACH ORDER SOUGHT**)

IF THERE IS MORE THAN ONE CASE PLEASE ATTACH AN EXTRA PAGE, NUMBERING IT ITEM 10 – PAGE 2

- 11 Are there any **existing orders**, agreements, parenting plans or undertakings to a court about family law, child support, family violence or abuse in relation to a child (including orders which have applied to a child or a member of the child's family), or child welfare, concerning any of the parties or children listed on this form?

☒ **No**

☐ **Yes** PLEASE GIVE THE FOLLOWING DETAILS

EITHER attach a full copy of the order, agreement, parenting plan or undertaking or set out details below (attach an extra page if you need more space, numbering the page/s Item 11 page 2 and so on).

☐ Attached is a copy/copies of the following (mark [X] the boxes that apply):

☐ order

☐ undertaking

☐ parenting plan

☐ agreement

OR

☐ Give the following details

Court name and place

Date

Names of the parties to the order / agreement / parenting plan / undertaking

CONTINUE ON PAGE 4 FOR DETAILS OF THE ORDER / AGREEMENT / PARENTING PLAN / UNDERTAKING

Details of the order / agreement / parenting plan / undertaking

IF THERE IS MORE THAN ONE CASE PLEASE ATTACH AN EXTRA PAGE, NUMBERING IT ITEM 11 – PAGE 2

- 12 If there is a family violence order, are the orders sought in this application consistent with that order?

☒ **No applicable (there is no family violence order)**

☐ **Yes**

☐ **No** GIVE BRIEF DETAILS

- 12A Has the Department for Child Protection or any other child welfare authority had any involvement with you or the other party or the child/ren or a member of the child/ren's family?

☐ **No**

☐ **Yes** GIVE BRIEF DETAILS

- 13 If you are seeking an order regarding parental responsibility that is other than an order for equal shared parental responsibility give brief details as to why that order is in the best interests of the child/ren.

- 14 Have the parties previously entered into a **financial agreement**, or **superannuation agreement** under the Family Law Act or under any relevant State or Territory legislation?
- ☒ **No**
- ☐ **Yes** ATTACH A COPY OF THE AGREEMENT/S
- 15 If either party has a superannuation interest, has the non-member spouse served a waiver notice on the Trustee of the eligible superannuation plan under section 90XZA of the Family Law Act for a payment split made in relation to the superannuation interest?
- ☒ **No**
- ☐ **Yes** ATTACH A COPY OF THE NOTICE
- 16 If either party has a superannuation interest, is there a payment flag in operation in relation to that interest?
- ☒ **No**
- ☐ **Yes** ATTACH A COPY OF THE ORDER OR AGREEMENT CREATING THE FLAG
- 17 Is any party currently bankrupt or currently a debtor in bankruptcy proceedings started by either a creditor's petition or a debtor's petition or currently a debtor subject to a personal insolvency agreement?
- ☒ **No**
- ☐ **Yes**
- 18 Is there a proceeds of crime order or current forfeiture application in relation to any of the property of any of the parties (see *Proceeds of Crime Act 2002* (Cth))?
- ☒ **No**
- ☐ **Yes** ATTACH A SEALED COPY OF THE ORDER OR APPLICATION
- 19 Is there any person who may be entitled to become a party to the case under subsection 79(10) of the Family Law Act or Family Court Act equivalent?
- ☐ **No**
- ☒ **Yes** Has written notice been given to that person?
- ☒ **Yes** ATTACH A COPY OF THE NOTICE
- ☐ **No**

Part D About the children

This Part must be completed by all applicants if there are children under the age of 18 years, regardless of whether the orders sought are in relation to children or finances. You must give details for each natural or adopted child of both or either of you who is under 18. This is regardless of whether the child has lived with both or either of you

20 Give the following details for each child:

	Family Name	Given names	Primary care giver*	Date of birth	M/F
Child 1					
Child 2					
Child 3					
Child 4					

* IF THE CHILD DOES NOT SPEND EQUAL TIME WITH EACH OF THE PARENTS IDENTIFY THE PERSON WITH WHOM THE CHILD LIVES MOST OF THE TIME

21 Who else lives in the child's home when the child is living with the applicant and when the child is living with the respondent? **Do not include the other children listed in Item 20.**

APPLICANT

RESPONDENT

CHILD 1

☐ FATHER ☐ MOTHER

☐ FATHER ☐ MOTHER

☐ OTHER PERSON Age

☐ OTHER PERSON Age

☐ Male ☐ Female ☐ X

☐ Male ☐ Female ☐ X

Name and relationship to the child

Name and relationship to the child

Part E Order/s sought

22 The parties seek orders in terms of the draft Consent Orders that are signed by the parties and lodged with this Application for Consent Orders.

Part F Details for parenting orders

Omit all of this Part if no parenting orders are sought, and remove page 8 when filing.

APPLICANT 1

23

Jurisdiction

Which of the following applies?

MARK [X] EVERY BOX THAT APPLIES TO APPLICANT 1 AND

- ☐ I am present in Australia
- ☐ I am ordinarily resident in Australia
- ☐ I am an Australian citizen
- ☐ The child or children named in the draft Consent Orders are present in Australia/ordinarily resident in Australia/ is an Australian citizen
- ☐ I am present in Western Australia
- ☐ The child or children named in the draft Consent Orders are present in Western Australia

RESPONDENT 1

Jurisdiction

Which of the following applies?

EVERY BOX THAT APPLIES TO RESPONDENT 1

- ☐ I am present in Australia
- ☐ I am ordinarily resident in Australia
- ☐ I am an Australian citizen
- ☐ I am present in Western Australia

Where the details for Child 2 are the same as Child 1
write "As for Child 1"

Child 1

Child 2

24

Proposed arrangements for the child:

Proposed arrangements for the child:

Housing (e.g. 3 bedroom house – child has own room).

Housing (e.g. 3 bedroom house – child has own room).

Supervision (who looks after the child? e.g. If the parent who lives with the child is working outside the home who looks after the child during the parent's absence).

Financial support (details about maintenance and child support, including details of maintenance orders or child support assessments and what is actually being paid or proposed to be paid by any parent or party to the marriage who does not live with the child).

Health (details of the health of the child and any treatment or ongoing medication needs).

Education (details about what school the child attends, what year they are in and what progress is being made).

Any other matters

Part G

Details for financial orders

Omit all of Part G if no property or maintenance orders are sought AND GO TO PART I

- The Court may refuse to make the property orders you seek if the proposed orders are not just and equitable. The Court cannot determine if the orders are just and equitable unless this Part is correctly and fully completed.
- The amounts shown for the value of property, superannuation, liabilities and financial resources should be current figures (use whole dollars)
- Column 1 should be completed by the applicant and must contain details of all property, superannuation, liabilities and financial resources of the applicant.
- Column 2 should be completed by the respondent and must contain details of all property, superannuation, liabilities and financial resources of the respondent.
- Attach extra pages if you need more space to answer any item and clearly number it (for example, if you need more space for Item 31, the extra page would be numbered Item 31, page 2.)
- If the amount for an item is nil, write NIL. If you can only give an estimate, write the letter 'E' before the stated amount.

INCOME

	APPLICANT	RESPONDENT
25	Gross weekly income E\$750	E\$350
26	Do the orders sought affect your earning capacity? (e.g. Are you disposing of or acquiring an investment or business?) <input checked="" type="checkbox"/> No GO TO ITEM 27 <input type="checkbox"/> Yes GIVE DETAILS	<input checked="" type="checkbox"/> No GO TO ITEM 27 <input type="checkbox"/> Yes GIVE DETAILS

CHILD SUPPORT

27	Are you paying child support? <input checked="" type="checkbox"/> No GO TO ITEM 28 <input type="checkbox"/> Yes GIVE DETAILS Amount paid per week Paid to (name)	<input checked="" type="checkbox"/> No GO TO ITEM 28 <input type="checkbox"/> Yes GIVE DETAILS Amount paid per week Paid to (name)
28	Are you receiving child support? <input checked="" type="checkbox"/> No GO TO ITEM 29 <input type="checkbox"/> Yes GIVE DETAILS Amount received each week Paid to you by (name)	<input checked="" type="checkbox"/> No GO TO ITEM 29 <input type="checkbox"/> Yes GIVE DETAILS Amount received each week Paid to you by (name)

Property

How to list shared property

If you own any property jointly with the other party to this application or any other person, then show the market value of your individual share in that property.

		APPLICANT	RESPONDENT																				
29	Real estate	<table border="1"> <tr><td colspan="2">Address</td></tr> <tr><td colspan="2">State</td></tr> <tr><td colspan="2">Your % share</td></tr> <tr><td>Value of your share</td><td>NIL</td></tr> </table>	Address		State		Your % share		Value of your share	NIL	<table border="1"> <tr><td colspan="2">Address</td></tr> <tr><td colspan="2">State</td></tr> <tr><td colspan="2">Your % share</td></tr> <tr><td>Value of your share</td><td>NIL</td></tr> </table>	Address		State		Your % share		Value of your share	NIL				
Address																							
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Your % share																							
Value of your share	NIL																						
Address																							
State																							
Your % share																							
Value of your share	NIL																						
30	Motor vehicles	<table border="1"> <tr><td>Make</td><td>Mitsubishi</td></tr> <tr><td>Model</td><td>2008</td></tr> <tr><td>Value of your share</td><td>E\$500</td></tr> </table>	Make	Mitsubishi	Model	2008	Value of your share	E\$500	<table border="1"> <tr><td colspan="2">Make</td></tr> <tr><td colspan="2">Model</td></tr> <tr><td>Value of your share</td><td>NIL</td></tr> </table>	Make		Model		Value of your share	NIL								
Make	Mitsubishi																						
Model	2008																						
Value of your share	E\$500																						
Make																							
Model																							
Value of your share	NIL																						
31	Furniture, furnishings and effects	<table border="1"> <tr><td>Value of your share</td><td>NIL</td></tr> </table>	Value of your share	NIL	<table border="1"> <tr><td>Value of your share</td><td>NIL</td></tr> </table>	Value of your share	NIL																
Value of your share	NIL																						
Value of your share	NIL																						
32	Funds in banks, building societies, credit unions or other financial institutions	<table border="1"> <tr><td colspan="2">Name of Institution</td></tr> <tr><td colspan="2"></td></tr> <tr><td colspan="2">Your share</td></tr> <tr><td>Account number</td><td>NIL</td></tr> </table>	Name of Institution				Your share		Account number	NIL	<table border="1"> <tr><td colspan="2">Name of Institution</td></tr> <tr><td colspan="2"></td></tr> <tr><td colspan="2">Your share</td></tr> <tr><td>Account number</td><td>NIL</td></tr> </table>	Name of Institution				Your share		Account number	NIL				
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Account number	NIL																						
33	Interest in any business (give your best estimate of the gross market value)	<table border="1"> <tr><td colspan="2">Name of business</td></tr> <tr><td colspan="2"></td></tr> <tr><td colspan="2">Your % share</td></tr> <tr><td>Value of your share</td><td>NIL</td></tr> </table>	Name of business				Your % share		Value of your share	NIL	<table border="1"> <tr><td colspan="2">Name of business</td></tr> <tr><td colspan="2"></td></tr> <tr><td colspan="2">Your % share</td></tr> <tr><td>Value of your share</td><td>NIL</td></tr> </table>	Name of business				Your % share		Value of your share	NIL				
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Value of your share	NIL																						
34	Investments including shares in public companies	<table border="1"> <tr><td colspan="2">Name and type of investment</td></tr> <tr><td colspan="2"></td></tr> <tr><td colspan="2">Number of shares held/Your % share</td></tr> <tr><td colspan="2"></td></tr> <tr><td>Value of your share</td><td>NIL</td></tr> </table>	Name and type of investment				Number of shares held/Your % share				Value of your share	NIL	<table border="1"> <tr><td colspan="2">Name and type of investment</td></tr> <tr><td colspan="2"></td></tr> <tr><td colspan="2">Number of shares held/Your % share</td></tr> <tr><td colspan="2"></td></tr> <tr><td>Value of your share</td><td>NIL</td></tr> </table>	Name and type of investment				Number of shares held/Your % share				Value of your share	NIL
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Number of shares held/Your % share																							
Value of your share	NIL																						
Name and type of investment																							
Number of shares held/Your % share																							
Value of your share	NIL																						
35	Life insurance policies	<table border="1"> <tr><td colspan="2">Company</td></tr> <tr><td colspan="2"></td></tr> <tr><td colspan="2">Policy No.</td></tr> <tr><td>Surrender value of your share</td><td>NIL</td></tr> </table>	Company				Policy No.		Surrender value of your share	NIL	<table border="1"> <tr><td colspan="2">Company</td></tr> <tr><td colspan="2"></td></tr> <tr><td colspan="2">Policy No.</td></tr> <tr><td>Surrender value of your share</td><td>NIL</td></tr> </table>	Company				Policy No.		Surrender value of your share	NIL				
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Surrender value of your share	NIL																						
36	Interest in any other property, including in any leased property	<table border="1"> <tr><td colspan="2">Give details</td></tr> <tr><td>Value of your share</td><td>NIL</td></tr> </table>	Give details		Value of your share	NIL	<table border="1"> <tr><td colspan="2">Give details</td></tr> <tr><td>Value of your share</td><td>NIL</td></tr> </table>	Give details		Value of your share	NIL												
Give details																							
Value of your share	NIL																						
Give details																							
Value of your share	NIL																						

37

**TOTAL VALUE
OF PROPERTY
OWNER BY YOU**

\$500

NIL

Write this amount at Item 46A on page 13

Write this amount at Item 46C on page 13

Liabilities

APPLICANT

RESPONDENT

38 Amount owing on home mortgage

Name of lender
Address of the property
State
Your share of amount owing NIL

Name of lender
Address of the property
State
Your share of amount owing NIL

39 Amount owing on any other mortgage

Name of lender
Address of the property
State
Your share of amount owing NIL

Name of lender
Address of the property
State
Your share of amount owing NIL

40 Amounts owing on any credit/chard cards

Type of card
Your share of amount owing NIL

Type of card
Your share of amount owing NIL

41 Amounts owing on any other loans

Give details
Name of lender/s
Your share of amount owing NIL

Give details
Name of lender/s
Your share of amount owing NIL

42 Hire purchase / lease

Give details
Name of lender/s
Description of the property
Your share of amount owing NIL

Give details
Name of lender/s
Description of the property
Your share of amount owing NIL

43 Income tax liabilities

Current financial year NIL
Amount unpaid from previous financial years
NIL

Current financial year NIL
Amount unpaid from previous financial years
NIL

44 Any other liabilities

Give details
Your share of amount owing NIL

Give details
Your share of amount owing NIL

45 **YOUR TOTAL LIABILITIES**

NIL

NIL

Write this amount at Item 46B on page 13

Write this amount at Item 46D on page 13

YOUR TOTAL NET WORTH (NOT INCLUDING SUPERANNUATION)

APPLICANT

RESPONDENT

- 46 To calculate your total net worth, subtract the amounts at Item 45 from the amounts at Item 37.

Insert the total from
Item 37

A **\$500**

C **NIL**

Insert the total from
Item 45

B **NIL**

D **NIL**

**YOUR TOTAL
NET WORTH
(NOT INCLUDING
SUPERANNUATION)**

\$500

NIL.00

- 60 Has either party
acquired or disposed
of any property since
the date of
separation?

☒ **No** GO TO ITEM 61
☐ **Yes** GIVE DETAILS

☒ **No** GO TO ITEM 61
☐ **Yes** GIVE DETAILS

SUPERANNUATION

If you have a superannuation interest

- attach a completed Superannuation Information Form when a splitting order is sought

If you have more than one superannuation interest

- attach a completed Superannuation Information Form for each interest when a splitting order is sought
- attach a list of the interests
- include the details required in Items 48 - 53 for each interest

	APPLICANT	RESPONDENT
48	Name of eligible superannuation fund Name Nil	Name Nil
49	Type of interest <input type="checkbox"/> accumulation interest <input type="checkbox"/> partially vested accumulation interest <input type="checkbox"/> defined benefit interest <input checked="" type="checkbox"/> self-managed fund <input type="checkbox"/> retirement savings account <input type="checkbox"/> small superannuation account <input type="checkbox"/> percentage only interest <input type="checkbox"/> approved deposit fund <input type="checkbox"/> eligible annuity	Type of interest <input type="checkbox"/> accumulation interest <input type="checkbox"/> partially vested accumulation interest <input type="checkbox"/> defined benefit interest <input checked="" type="checkbox"/> self-managed fund <input type="checkbox"/> retirement savings account <input type="checkbox"/> small superannuation account <input type="checkbox"/> percentage only interest <input type="checkbox"/> approved deposit fund <input type="checkbox"/> eligible annuity
50	Specify the current agreed gross value of the interest in superannuation \$500	\$500
51	Has the agreed value in Item 63 been calculated in accordance with the Family Law (Superannuation) Regulations 2001? (Complete only if section 90XT (2)(a) of the Act applies to the superannuation interest) <input type="checkbox"/> Yes	<input type="checkbox"/> Yes

52	For each interest, whether or not a splitting order is sought, advise if the interest is subject to an earlier payment split.	<input type="checkbox"/> No (Go to Item 53) <input checked="" type="checkbox"/> Yes – Are there any further payments to be made? <input checked="" type="checkbox"/> No (Go to Item 53) <input type="checkbox"/> Yes – Provide the following details:	<input type="checkbox"/> No (Go to Item 53) <input checked="" type="checkbox"/> Yes – Are there any further payments to be made? <input checked="" type="checkbox"/> No (Go to Item 53) <input type="checkbox"/> Yes – Provide the following details:
		a) The operative time for the split <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	a) The operative time for the split <div style="border: 1px solid black; height: 20px; width: 100%;"></div>
		b) The amount of any future payments in respect of a base amount split in the payment phase (where applicable) <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	b) The amount of any future payments in respect of a base amount split in the payment phase (where applicable) <div style="border: 1px solid black; height: 20px; width: 100%;"></div>
		c) The adjusted base amount where the interest is in the growth phase (where applicable) <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	c) The adjusted base amount where the interest is in the growth phase (where applicable) <div style="border: 1px solid black; height: 20px; width: 100%;"></div>
		d) The specified percentage in the case of a percentage split (where applicable) <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	d) The specified percentage in the case of a percentage split (where applicable) <div style="border: 1px solid black; height: 20px; width: 100%;"></div>
53	For each interest, whether or not a splitting order is sought:	a) If the interest is a defined benefit interest in the growth phase (not being an interest in a constitutionally protected fund), state the amount of any surcharge debt in the most recent member statement <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	a) If the interest is a defined benefit interest in the growth phase (not being an interest in a constitutionally protected fund), state the amount of any surcharge debt in the most recent member statement <div style="border: 1px solid black; height: 20px; width: 100%;"></div>
		b) If the interest is in a constitutionally protected fund, state the amount of any surcharge in the surcharge debt account <div style="border: 1px solid black; height: 20px; width: 100%;"></div>	b) If the interest is in a constitutionally protected fund, state the amount of any surcharge in the surcharge debt account <div style="border: 1px solid black; height: 20px; width: 100%;"></div>

FINANCIAL RESOURCES

54	Interest in any trust or any other financial resources (for example, do you have an expectation of receiving money from a personal injury claim or Court case or property from a deceased estate?)	<div style="border: 1px solid black; height: 150px; width: 100%; padding: 5px;">Give details</div>	<div style="border: 1px solid black; height: 150px; width: 100%; padding: 5px;">Give details</div>
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PROPOSED DIVISION OF FINANCES

APPLICANT

RESPONDENT

- 55 Proposed percentage division of the property (including superannuation)
(To calculate the proposed percentage division, use the totals at Items 62 and 63)

Applicant 0.0%
Respondent 100.0%

- ☒ **Agree**
☐ **Disagree** GIVE BRIEF REASONS WHY YOU DISAGREE AND SPECIFY YOUR ESTIMATE OF THE PROPOSED DIVISION

- 56 Were the financial contributions of the parties the same? (see s79(4)(a) of the Family Law Act or equivalent section of the Family Court Act)

- ☒ **Yes** GO TO ITEM 70
☐ **No** GIVE BRIEF DETAILS OF WHO MADE THE GREATER CONTRIBUTION

- ☒ **Agree**
☐ **Disagree** GIVE BRIEF REASONS WHY YOU DISAGREE

- 57 Were the non-financial contributions from each of the parties the same? (see s79(4)(b) of the Family Law Act or equivalent section of the Family Court Act)

- ☒ **Yes** GO TO ITEM 71
☐ **No** GIVE BRIEF DETAILS OF WHO MADE THE GREATER CONTRIBUTION

- ☒ **Agree**
☐ **Disagree** GIVE BRIEF REASONS WHY YOU DISAGREE

PROPOSED DIVISION OF FINANCES (CONTINUED)

58 Were the contributions from each of the parties as homemaker and parent the same? (see s79(4)(c) or equivalent section of the Family Court Act)

- ☒ **Yes** GO TO ITEM 72
- ☐ **No** GIVE BRIEF DETAILS OF WHO MADE THE GREATER CONTRIBUTION

- ☒ **Agree**
- ☐ **Disagree** GIVE BRIEF REASONS WHY YOU DISAGREE

59 Are there any other relevant matters or facts in relation to the division of the property (e.g. health, financial resources, income earning ability)? (see s75(2) or equivalent section of the Family Court Act)

- ☐ **Yes** GO TO ITEM 73
- ☒ **No** GIVE BRIEF DETAILS

- ☒ **Agree**
- ☐ **Disagree** GIVE BRIEF REASONS WHY YOU DISAGREE

Part H Effect of property orders sought

Omit all of Part H if no property or maintenance orders are sought.

60	APPLICANT	RESPONDENT
	Value of the property the applicant will receive	Value of the property the respondent will receive
Real estate	NIL	NIL
Motor vehicles	NIL	\$500
Furniture, furnishings and effects	NIL	NIL
Funds in banks, building societies, credit unions or other financial institutions	NIL	NIL
Interest in any business	NIL	NIL
Investments including shares in public companies	NIL	NIL
Life insurance policies	NIL	NIL
Other property	NIL	NIL
TOTAL	NIL	\$500
61	Liabilities for which the applicant will be responsible	Liabilities for which the respondent will be responsible
Home mortgage	NIL	NIL
Other mortgage	NIL	NIL
Loans (total from bank, building society, credit union or other financial institutions)	NIL	NIL
Credit cards	NIL	NIL
Hire purchase	NIL	NIL
Other liabilities - specify	NIL	NIL
TOTAL	NIL	NIL
	NET VALUE OF PROERTY THAT THE APPLICANT WILL RECEIVE	NET VALUE OF PROERTY THAT THE RESPONDENT WILL RECEIVE
62 TOTAL (Item 60 – Item 61)	NIL	\$500

APPLICANT

RESPONDENT

76 Superannuation

**GROSS VALUE OF THE SUPERANNUATION
THE APPLICANT WILL RECEIVE**

**GROSS VALUE OF THE SUPERANNUATION
THE RESPONDENT WILL RECEIVE**

NIL

NIL

77 What are the taxation consequences of any order sought in relation to any interest in superannuation?

GIVE DETAILS

GIVE DETAILS

Part I

Affidavit of applicant

- Mark [X] every box that applies.
- You must attach a further Part I and J for each other applicant if applicable.

I swear that:

- ☒ I am the **applicant**.
- ☒ I have read this application and the proposed orders by consent which I am now requesting this Honourable Court to make.
- ☒ The orders are agreed upon by all parties.
- ☒ I am aware of my right to obtain independent legal advice.
- ☒ I have had independent legal advice on my relevant rights under the *Family Law Act* or *Family Court Act* and the effect and consequences of orders being made in the terms proposed.
- ☒ Apart from column 2 of Parts G and H (if included) the matters stated in this application that are within my personal knowledge are true and all other facts are true to the best of my knowledge, information and belief and the orders sought are supported by evidence.
- ☒ I have signed each page of the draft orders by consent, lodged with this application, and dated them today.
- ☐ **For parenting orders** – I have read and considered sections 60B, 60CA, 60CC, 61DA, 64B, 65DAA of the *Family Law Act* or the equivalent sections of the *Family Court Act*.
- ☒ **For financial orders** – I have read and considered in the case of a marriage sections 72 and 79, and subsection 75(2) and where there is a superannuation interest, Part VIIIB of the *Family Law Act* or the equivalent sections of the *Family Court Act*.
- ☒ **For financial orders**
 - (a) I have no interest in property, superannuation, or a financial resource which is not described in column 1 of Part G.
 - (b) Where I give any estimate in this application it is based on knowledge, information and belief and is given in good faith.
- ☒ **For property orders in relation to a superannuation interest** – the trustee of the superannuation plan:
 - (a) at least 28 days before this application is filed – has been served with written notice:
 - i. of the terms of the orders that will be sought from the Court to bind the trustee, and
 - ii. that the trustee may object to the orders sought by giving written notice of the objection within 28 days of receiving the notice, and
 - (b) has not objected to the orders sought.
- ☐ **For an order or injunction binding on the third party** – I have read and considered Part VIIIAA of the *Family Law Act* or the equivalent sections of the *Family Court Act*.

Your Signature	Place Petes Hideout	Date
Before me (signature of witness)	Full name of witness (please print) To Be Determined	

- ☒ Justice of the Peace ☐ Notary public ☐ Lawyer

Part J

Statement of independent legal advice

(OMIT IF NOT APPLICABLE)

- ☐ I am a lawyer entitled to practise in this Court.
- ☐ I have given the **applicant** independent legal advice as to the meaning and effect of the draft consent orders and explained their rights, entitlements and obligations.
- ☐ I gave the **applicant** a copy of the Family Law Court's brochure *Marriage, Families and Separation*.

Signature of lawyer	Print name
Date	

Part K Affidavit of respondent

- Mark [X] every box that applies.
- You must attach a further Part K and L for each other applicant if applicable.

I swear that:

- ☒ I am the **respondent**.
- ☒ I have read this application and the proposed orders by consent which I am now requesting this Honourable Court to make.
- ☒ The orders are agreed upon by all parties.
- ☒ I am aware of my right to obtain independent legal advice.
- ☒ I have had independent legal advice on my relevant rights under the *Family Law Act* and the effect and consequences of orders being made in the terms proposed.
- ☒ Apart from column 1 of Parts G and H (if included) the matters stated in this application that are within my personal knowledge are true and all other facts are true to the best of my knowledge, information and belief and the orders sought are supported by evidence.
- ☒ I have signed each page of the proposed orders by consent, lodged with this application, and dated them today.
- ☐ **For parenting orders** – I have read and considered sections 60B, 60CA, 60CC, 61DA, 64B, 65DAA of the *Family Law Act* or the equivalent sections of the *Family Court Act*.
- ☒ **For financial orders** – I have read and considered in the case of a marriage sections 72 and 79, and subsection 75(2) and where there is a superannuation interest, Part VIIIB of the *Family Law Act* or the equivalent sections of the *Family Court Act*.
- ☒ **For financial orders**
 - (a) I have no interest in property, superannuation, or a financial resource which is not described in column 2 of Part G.
 - (b) Where I give any estimate in this application it is based on knowledge, information and belief and is given in good faith.
- ☒ **For property orders in relation to a superannuation interest** – the trustee of the superannuation plan:
 - (a) at least 28 days before this application is filed – has been served with written notice:
 - i. of the terms of the orders that will be sought from the Court to bind the trustee, and
 - ii. that the trustee may object to the orders sought by giving written notice of the objection within 28 days of receiving the notice, and
 - (b) has not objected to the orders sought.
- ☐ **For an order or injunction binding on the third party** – I have read and considered Part VIIIAA of the *Family Law Act* or the equivalent sections of the *Family Court Act*.

Your Signature	Place Island somewhere in the Mediterranean Date
Before me (signature of witness)	Full name of witness (please print) To Be Determined

- ☐ Justice of the Peace
 ☒ Notary public
 ☐ Lawyer

Part L Statement of independent legal advice

(OMIT IF NOT APPLICABLE)

- ☐ I am a lawyer entitled to practise in this Court.
- ☐ I have given the **respondent** independent legal advice as to the meaning and effect of the draft consent orders and explained their rights, entitlements and obligations.
- ☐ I gave the **respondent** a copy of the Family Law Court's brochure *Marriage, Families and Separation*.

Signature of lawyer	Print name
Date	

This application was prepared by ☒ applicant/s ☐ lawyer

PRINT NAME AND LAWYER'S CODE

Supplement to Application for Consent Orders for use only when an order or injunction is sought binding on a third party under Part VIIIAA of the *Family Law Act* or the equivalent part of the *Family Court Act*.

Part M **Affidavit of the third-party respondent**

- Mark [X] every box that applies.
- You must attach a further Part M and N for each other third party respondent, if applicable.
- If the third party is a corporation, this statement of truth must be signed by a person authorised to do so on behalf of the corporation.

I swear*/affirm* that:

- ☐ I am a third party to a marriage between the applicant and respondent.
- ☐ I have read this application and the proposed consent orders which I am now requesting this Honourable Court to make.
- ☐ I have agreed to the order or injunction that is binding on me.
- ☐ I am aware of my right to obtain independent legal advice.
- ☐ I have had independent legal advice on my relevant rights under the *Family Law Act* or *Family Court Act* and the effect and consequences of orders being made in the terms proposed.
- ☐ I have signed each page of the draft orders by consent, lodged with this application, and dated them today.
- ☐ I have read and considered Part VIIIAA of the *Family Law Act* or the equivalent part of the *Family Court Act*.
- ☐ I am satisfied that I have been accorded procedural fairness in relation to the making of the order or injunction binding on me.
- ☐ I confirm that Section 90AE(3) and 90AF(3) of the *Family Law Act* or its *Family Court Act* equivalent (whichever is applicable) is satisfied and that the order or injunction takes into account the matters in subsection 90AE(4) and 90AF(4) or its *Family Court Act* (whichever is applicable).
- ☐ I confirm that Section 90AK of the *Family Law Act* or its *Family Court Act* equivalent does not apply to prevent the court making the order or injunction that is binding on me.

Your Signature	Place	Date
Before me (signature of witness)	Full name of witness (please print)	

- ☐ Justice of the Peace ☐ Notary public ☐ Lawyer

* delete whichever is inapplicable

Part N **Statement of independent legal advice**

(OMIT IF NOT APPLICABLE)

- ☐ I am a lawyer entitled to practise in this Court.
- ☐ I have given the **respondent third party** independent legal advice as to the meaning and effect of the draft Consent Orders and explained their rights, entitlements and obligations.

Signature of lawyer	Print name
Date	

Approved by Chief Judge FCWA - 230821

Documents to file

In addition to the Application for Consent Orders, you will need to file the following documents:

- The original and copies of an affidavit in support of the application. The affidavit needs to provide evidence establishing your de facto relationship.
- A copy of the financial orders sought (set out in the proposed orders template).
- A list of all superannuation interests.
- Copies of certificates of title of any real estate to be transferred.
- Copies of the last 2 member statements for the fund being split and a letter from the superannuation fund trustee confirming they have no objection to the split.
- If this application seeks to vary or discharge an existing order, a copy of the existing orders.