

Common Form 33 -- ORDER APPROVING COMPROMISE (Infants Claim)

Judicial Officer(s): The Honourable Justice
His/Her Honour Judge
Master
[Master of the Supreme Court]

Date of application:[DD/MM/YYYY]

Application made by:[Party] [Name]

Date(s) of hearing [if any]:[DD/MM/YYYY]

Date of judgment:[DD/MM/YYYY]

Appearances:Solicitor/Counsel for the Plaintiff(s)
.....Solicitor/Counsel for the Defendant(s)
.....Solicitor/Counsel for [Other Parties]

Recitals [if any]:

[By Consent] THE COURT ORDERS that:

1. The settlement arrived at between the parties whereby the Defendant (s) *has/have* agreed to pay and the Plaintiff has agreed to accept the sum of \$..... together with the costs of action to be taxed or agreed in full satisfaction of the Plaintiff's claim and costs herein insofar as it relates to the infants referred to in paragraph 2 of this order be approved.
2. From the above sum of \$..... there be apportioned for the infant children of the marriage between the Plaintiff and [Name] deceased the following sums:
 - (a) the sum of \$..... for [Name]; and
 - (b) the sum of \$..... for [Name].
3. All further proceedings in this action be stayed upon the terms that the Defendant (s) within 14 days of the service of this order upon that *him/her/them* pay the sum of \$..... to the Plaintiff (s), and the said sums of \$..... and \$..... to Public Trustee to be held upon trust in accordance with paragraph 5 of this order.
4. The Plaintiff's costs be taxed or agreed as between party and party and as between solicitor and client and that the Defendant (s) pay to the Plaintiff's solicitor the amount of the party and party costs as agreed or as certified by the Taxing Officer.
5. Public Trustee hold the respective sums apportioned for the said infant children upon trust pursuant to section 16 of the Public Trustee Act 1995 for the benefit of such children respectively.

- 6. Public Trustee out of the moneys held for the said infant children respectively or from the income thereof or from corpus and income from time to time or at any time pay or apply to or for the benefit of each or any of the persons respectively entitled and either in single sums or periodical instalments such sum or sums as Public Trustee may think proper, with liberty to pay the whole or the balance of any such sums then in the hands of Public Trustee if and when Public Trustee may think fit and further to pay the balance, if any, of moneys held on behalf of the said infant children to such children upon them respectively attaining the age of 18 years.
- 7. Upon payment by the Defendant (s) of the sum of \$..... and costs *he/she/they* be discharged from any further liability in respect of the Plaintiff's claim and costs in this action.
- 8. The parties and Public Trustee may apply pursuant to section 16 of the Public Trustee Act 1995 as to the application of the monies in the hands of Public Trustee or to vary the trusts referred to.

[Other text, if applicable]

[Fit for counsel, if applicable]

[Reproduction of Court Seal] This order is authenticated by.....
for Registrar

Computer File Reference.....