Form 45

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|  | | AFFIDAVIT  (INTERVENTION ORDER)  **Magistrates Court of South Australia**  [www.courts.sa.gov.au](http://www.courts.sa.gov.au)  *Intervention Orders (Prevention of Abuse) Act 2009* | | | | | | | Court Use  Date Filed: | |
|  | | | | | | | | | | |
| Registry |  | | | | File No | |  | | | |
| **Applicant** | | | | | | | | | | |
| Name |  | |  | | | | | DOB | |  |
|  | *Surname* | | *Given name/s* | | | | |  | | *dd/mm/yyyy* |
| **Defendant** | | | | | | | | | | |
| Name |  | |  | | | | | DOB | |  |
|  | *Surname* | | *Given name/s* | | | | |  | | *dd/mm/yyyy* |
| Address |  | | | | | | | | | |
|  | *Street* | | | | | | | | | |
|  |  | | | |  | | |  | | |
|  | *City/Town/Suburb* | | | | *State* | | | *Postcode* | | |
| **Details of Application** | | | | | | | | | | |
| **1. Name of person swearing affidavit:**  **2. Relationship of person swearing affidavit to the defendant:** | | | | | | | | | | |
| **3. All protected persons:** | | | | | | | | | | |
| **Name** | | | | **DOB** | | **Relationship to Applicant** | | | | |
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| **4. Basis of application** (tick appropriate box(s))  It is reasonable to suspect that the defendant will commit an act of abuse against the protected person(s) by:  causing personal injury;  causing emotional or psychological harm;  denial of financial, social or personal autonomy;  causing damage to property;  other (specify) | | | | | | | | | | |
| **5. Details of conduct of defendant**  5.1 Brief description of background to relationship between protected person(s) and defendant. | | | | | | | | | | |
| 5.2 Circumstances and dates of incidents that are the basis of this application, such as assaults and injuries, damage to property, harm to pets, emotional or psychological harm, denial of financial autonomy, threats, intimidation, publishing harmful matters, stalking and other relevant facts, with details of any supporting witnesses, other evidence and any reports to police. | | | | | | | | | | |
| **6. Orders already in force**  If there are any relevant restraining or intervention orders between the protected person(s) and the defendant, give details of the date they were granted, who they affect and the court of issue and file number and any other identifying file references. | | | | | | | | | | |
| **7. Other relevant orders, agreements, pending applications, determinations or legal proceedings**  Are you aware of any relevant orders or pending applications under the *Family Law Act 1975* (Cth), between a person or persons proposed to be protected by the order and the defendant?  Yes  No  Are you aware of any relevant orders, agreements, pending applications or contact determinations under the *Children and Young People (Safety) Act 2017*?  Yes  No  Are you aware of any relevant orders or agreements for the division of property under the *Family Law Act 1975* (Cth) or the *Domestic Partners Property Act 1996*, or a corresponding law of another jurisdiction, between a person or persons proposed to be protected by the order and the defendant, or any pending application for such an order?  Yes  No  Are you aware of any other legal proceedings between a person or persons proposed to be protected by the order and the defendant?  Yes  No  If you answered ‘yes’ to any of the questions above, you must provide a copy or details of the order, agreement, pending application, contact determination or proceedings. | | | | | | | | | | |
| **8. Other Information**  Give details of any weapons in the defendant’s possession.    Provide any other relevant information. | | | | | | | | | | |
| I,       swear/affirm that the contents of this affidavit are true and correct to the best of my knowledge and belief. | | | | | | | | | | |
| Sworn/affirmed at: | | | | | | | | | | |
| In the State of South Australia this       day of       20 | | | | | | | | | | |
| Person Swearing Affidavit  Before me:-    Justice of the Peace/  Commissioner for taking affidavits | | | | | | | | | | |

**Note to applicant** – a copy of this affidavit will be given to the defendant