**ORIGINATING APPLICATION TO VARY OR REVOKE ORDER – RESTRAINING ORDER**

MAGISTRATES / YOUTH **Circle one** COURT OF SOUTH AUSTRALIA

SPECIAL STATUTORY JURISDICTION

**……………………………………………………………………………………………………………Full name**

**Applicant**

**……………………………………………………………………………………………………………Full name**

**Respondent**

|  |  |
| --- | --- |
| Applicant |  |
| **Full Name** |
| Name of law firm/solicitor**If any** |  |  |
| **Law Firm** | **Responsible Solicitor** |
| Address for service |  |
| **Street Address (including unit or level number and name of property if required)** |
|  |  |  |  |
| **City/town/suburb** | **State** | **Postcode** | **Country** |
|  |
| **Email address** |
| Phone Details |  |  |
| **Number** | **Alternative number (optional)** |

|  |  |
| --- | --- |
| Respondent |  |
| **Full Name (including Also Known as and Litigation Guardian Name (if applicable))** |
| Address |  |
| **Street Address (including unit or level number and name of property if required)** |
|  |  |  |  |
| **City/town/suburb** | **State** | **Postcode** | **Country** |
|  |
| **Email address** |
| Phone Details |  |  |
| **Number** | **Alternative number (optional)** |

|  |
| --- |
| **Application details****Mark appropriate selection below with an ‘x’**Matter type: ……………………………………………..Original Case Number: ……………………………………..This Application is:[ ] 1. to vary a condition of a Child Protection / Paedophile **Circle one** Restraining Order.[ ] 1. to revoke a Child Protection / Paedophile **Circle one** Restraining Order.This Application is made under section 99F of the *Criminal Procedure Act 1921*.The applicant seeks the following orders:**Enter numbered paragraphs** [ ] 1. **Must complete** **if application filed by the Respondent or the Respondent’s solicitor** Permission of the Court to vary / revoke **circle one** the Child Protection / Paedophile **Circle one** Restraining Order made on ……………………………….**date** ……………………**Enter Court file number** by ………………………………………..**Enter Judicial Officer**[ ] 2. The following conditions of the Child Protection / Paedophile **Circle one** Restraining Order made on ……………………………….**date** ……………………**Court file number** by ………………………………..**Judicial Officer**be varied.* **provision for multiple** ………………………………………………………………………………………………..

…………………………..………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………..…….………………**Enter details of variation**[ ] 3. Child Protection / Paedophile **Circle one** Restraining Order made on ……………………………….**date** ……………………**Court file number** by ………………………………………..**Judicial Officer**be revoked. This Application is made on the grounds[ ] set out in the accompanying Affidavit sworn by …………………………………**full name** on  ………………………………..**date**[ ] that: **Enter grounds in numbered paragraphs**……………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………..…….…………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………..…….…………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………..…….…………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………..………………………………………………………………………………………….**Only complete if applicable otherwise mark as N/A** The Applicant seeks leave to make this application on the grounds[ ] set out in the accompanying Affidavit sworn by …………………………………**full name** on  ………………………………..**date**[ ] that: ……………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………..…….…………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………..…….…………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………..…….…………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………..……………………………………………………………………………………………………………………**Provision for grounds in numbered paragraphs****Only complete if applicable otherwise mark as N/A** This Application is urgent on the grounds [ ] set out in the accompanying Affidavit sworn by …………………………………**full name** on  ………………………………..**date**[ ] that: **Enter grounds in numbered paragraphs**1. ……………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………..…….…………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………..…….…………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………..…….…………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………..………………………………………………………………………………………

**Only complete if applicable otherwise leave blank**This Application is made with the consent of the ………………………… **party title**………………………………**name** as evidenced by …………………………………………………………………………………………………………………….…………………………………………………….……………………….. **evidence****eg letter or email from party’s solicitor** **provision for multiple**  |

|  |
| --- |
| **To the Respondent: WARNING**This Application will be considered at the hearing at the date and time set out at the top of this document.If you wish to oppose the Application or make submissions about it:* you must attend the hearing; and
* if you wish to rely on any facts in addition to or contrary to those relied on by the party seeking the orders, you must file and serve on all parties an Affidavit within14 days after service of the Application.

If you do not do so, the Court may proceed **in your absence** and **orders may be made against you** without further warning.For instructions on how to obtain access to the file, visit https://courtsa.courts.sa.gov.au/?g=node/482  |

|  |
| --- |
| **Service**The party filing this document is required to serve it on all other parties in accordance with the Rules of Court as soon as reasonably practicable after filing. |

|  |
| --- |
| **Accompanying documents**Accompanying this Application is a:[ ] Supporting Affidavit **mandatory** [ ] Original order **mandatory** [ ] If other additional document(s) please list below: …………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………..…….……………………………………………………………………………………………………………………………………………………………………………………………………………… |