

To be inserted by Court

Case Number:

Date Filed:

FDN:

Hearing Date and Time:

Hearing Location:

75 Wright Street Adelaide

**APPLICATION TO REVOKE AN ORDER AS TO PARENTS OF A CHILD BORN UNDER A
RECOGNISED SURROGACY AGREEMENT**

Surrogacy Act 2019 s 19(1)

YOUTH COURT OF SOUTH AUSTRALIA
SURROGACY JURISDICTION

IN THE MATTER OF *[NAME[S] OF CHILD[REN]]*

Please specify the Full Name for each party. Each party should include a party number if more than one party of the same type.

First Intended Parent

Second Intended Parent

Surrogate/Birth Mother

Partner of Surrogate/Birth Mother

Only displayed if applicable

Other Party

Only one of the next two items display as applicable

ATTORNEY-GENERAL

CHIEF EXECUTIVE

Filed by the Applicant			
Applicant	Full name		
Applicant Role	<input type="checkbox"/> Attorney-General <input type="checkbox"/> Chief Executive of the Department for Child Protection Mark appropriate section with an 'x'		
Name of law firm / solicitor if any	Law Firm	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	Type – Number		

Application Details

Mark appropriate sections below with an 'x'

This Application is for an order to revoke an order made on [date] as to parents of a child born under a recognised surrogacy agreement.

Nature of application in one sentence

This Application is made under section 19 of the Surrogacy Act 2019.

The Applicant seeks the following orders:

Orders sought in separately numbered paragraphs.

1. That pursuant to section 19(1) of the Surrogacy Act 2019 an order be made revoking an order made on [date] as to parents of a child born under a recognised surrogacy agreement.
2. That pursuant to section 19(3)(b) of the Surrogacy Act 2019, the child, [name],
be known by the following name:
SURNAME: [name]
OTHER NAMES: [name]
3. [any other orders sought in separately numbered paragraphs]

This Application is made on the grounds

that the original order was obtained by fraud, duress or other improper means.

that a consent relied on for the making of the original order was not an effective consent because it was obtained by fraud, duress or material inducement.

that there is an exceptional reason why the original order should be revoked.

The particulars of the factual allegations for the above grounds are set out in the accompanying affidavit sworn by [full name] on the day of 20 .

To the other parties: WARNING

The Applicant has applied for orders set out in this Application.

The facts that support this Application are set out in the accompanying documentation.

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
- **you may be required to file a Response** at a later stage.

If you do not attend the Court hearing, orders may be made without further warning.

Service

Mark appropriate section below with an 'x'

The party filing this document is required to serve it on all other parties at least 5 clear days before the first hearing, in accordance with the Rules of Court.

[] It is intended to serve this application on all other parties.

[] It is not intended to serve this application on the following parties: *[list names]*

because *[reasons]*

Accompanying Documents

Mark appropriate sections below with an 'x'

Accompanying service of this Application is a:

[] Statement of Particulars (mandatory)

[] Supporting Affidavit (mandatory)

[] If other additional document(s) please list below: